

Volume 29, Number 1  
Pages 1-82  
January 2, 2004



**MATT BLUNT**

**SECRETARY OF STATE**

# MISSOURI REGISTER

The *Missouri Register* is an official publication of the state of Missouri, under the authority granted to the secretary of state by sections 536.015 and 536.033, RSMo 2000. Reproduction of rules is allowed; however, no reproduction shall bear the name *Missouri Register* or “official” without the express permission of the secretary of state.

The *Missouri Register* is published semi-monthly by

**SECRETARY OF STATE**

**MATT T. BLUNT**

**Administrative Rules Division**

James C. Kirkpatrick State Information Center  
600 W. Main  
Jefferson City, MO 65101  
(573) 751-4015

**DIRECTOR**

LYNNE C. ANGLE

•

**EDITORS**

BARBARA McDOUGAL

JAMES McCLURE

•

**ASSOCIATE EDITORS**

CURTIS W. TREAT

SALLY L. REID

TIFFANY M. DAVIS

**PUBLISHING STAFF**

WILBUR HIGHBARGER

HEATHER M. DOWNS

ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO  
Subscription fee: \$56.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

**MISSOURI REGISTER**  
**Office of the Secretary of State**  
**Administrative Rules Division**  
**PO Box 1767**  
**Jefferson City, MO 65102**

The *Missouri Register* and *Code of State Regulations* (CSR) are now available on the Internet. The Register address is <http://www.sos.mo.gov/adrules/moreg/moreg.asp> and the CSR is <http://www.sos.mo.gov/adrules/csr/csr.asp>. These web sites contain rulemakings and regulations as they appear in the Registers and CSR. These web sites do not contain the official copies of the Registers and CSR. The official copies remain the paper copies published by the Office of the Secretary of State pursuant to sections 536.015 and 536.031, RSMo 2000. While every attempt has been made to ensure accuracy and reliability, the Registers and CSR are presented, to the greatest extent practicable as they appear in the official publications. The Administrative Rules Division may be contacted by e-mail at [rules@sosmail.state.mo.us](mailto:rules@sosmail.state.mo.us).

The secretary of state's office makes every effort to provide program accessibility to all citizens without regard to disability. If you desire this publication in alternate form because of a disability, please contact the Division of Administrative Rules, PO Box 1767, Jefferson City, MO 65102, (573) 751-4015. Hearing impaired citizens should contact the director through Missouri relay, (800) 735-2966.



## IN THIS ISSUE:

<b>FROM THIS ANGLE</b> .....	5
<b>EXECUTIVE ORDERS</b> .....	7
<b>PROPOSED RULES</b>	
Department of Economic Development	
Board of Therapeutic Massage .....	23
Department of Public Safety	
Division of Alcohol and Tobacco Control .....	43
Missouri State Water Patrol .....	44
<b>ORDERS OF RULEMAKING</b>	
Department of Public Safety	
Adjutant General .....	50
Missouri Gaming Commission .....	50
Department of Social Services	
Division of Medical Services .....	53

## IN ADDITIONS

Department of Economic Development	
Division of Credit Unions .....	55
Division of Finance .....	55
U.S. Department of the Interior	
Bureau of Land Management .....	56

<b>DISSOLUTIONS</b> .....	57
---------------------------	----

## SOURCE GUIDES

<b>RULE CHANGES SINCE UPDATE</b> .....	59
<b>EMERGENCY RULES IN EFFECT</b> .....	67
<b>EXECUTIVE ORDERS</b> .....	70
<b>REGISTER INDEX</b> .....	71

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
October 1, 2003 October 15, 2003	November 3, 2003 November 17, 2003	November 30, 2003 November 30, 2003	December 30, 2003 December 30, 2003
November 3, 2003 November 17, 2003	December 1, 2003 December 15, 2003	December 31, 2003 December 31, 2003	January 30, 2004 January 30, 2004
December 1, 2003 December 15, 2003	January 2, 2004 January 15, 2004	January 30, 2004 January 30, 2004	February 29, 2004 February 29, 2004
January 2, 2004 January 15, 2004	February 2, 2004 February 17, 2004	February 29, 2004 February 29, 2004	March 30, 2004 March 30, 2004
February 2, 2004 February 17, 2004	March 1, 2004 March 15, 2004	March 31, 2004 March 31, 2004	April 30, 2004 April 30, 2004
March 1, 2004 March 15, 2004	April 1, 2004 April 15, 2004	April 30, 2004 April 30, 2004	May 30, 2004 May 30, 2004
April 1, 2004 April 15, 2004	May 3, 2004 May 17, 2004	May 31, 2004 May 31, 2004	June 30, 2004 June 30, 2004
May 3, 2004 May 17, 2004	June 1, 2004 June 15, 2004	June 30, 2004 June 30, 2004	July 30, 2004 July 30, 2004
June 1, 2004 June 15, 2004	July 1, 2004 July 15, 2004	July 31, 2004 July 31, 2004	August 30, 2004 August 30, 2004
July 1, 2004 July 15, 2004	Aug. 2, 2004 Aug. 16, 2004	Aug. 31, 2004 Aug. 31, 2004	Sept. 30, 2004 Sept. 30, 2004
August 2, 2004 August 16, 2004	September 1, 2004 September 15, 2004	September 30, 2004 September 30, 2004	October 30, 2004 October 30, 2004
September 1, 2004 September 15, 2004	October 1, 2004 October 15, 2004	October 31, 2004 October 31, 2004	November 30, 2004 November 30, 2004
October 1, 2004 October 15, 2004	November 1, 2004 November 15, 2004	November 30, 2004 November 30, 2004	December 30, 2004 December 30, 2004

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

# Missouri Depository Libraries

The *Missouri Register* and the *Code of State Regulations*, as required by the Missouri Depository Documents Law (section 181.100, RSMo 2000), are available in the listed depository libraries, as selected by the Missouri State Library:

Jefferson County Library PO Box 1486, 3021 High Ridge High Ridge, MO 63049-1486 (314) 677-8689	Learning Resources Center Mineral Area College PO Box 1000 Park Hills, MO 63601-1000 (573) 431-4593	Missouri Western State College Hearnes Learning Resources Ctr. 4525 Downs Drive St. Joseph, MO 64507-2294 (816) 271-5802	Library University of Missouri-Rolla 1870 Miner Circle Rolla, MO 65409-0060 (573) 341-4007
Jefferson College Library 1000 Viking Drive Hillsboro, MO 63050-2441 (314) 789-3951 ext. 160	Cape Girardeau Public Library 711 N. Clark Cape Girardeau, MO 63701-4400 (573) 334-5279	Library North Central Missouri College PO Box 111, 1301 Main Street Trenton, MO 64683-0107 (660) 359-3948 ext. 325	Lebanon-Laclede County Library 135 Harwood Ave. Lebanon, MO 65536-3017 (417) 532-2148
St. Louis Public Library 1301 Olive St. St. Louis, MO 63103-2389 (314) 539-0376	Kent Library Southeast Missouri State University One University Plaza Cape Girardeau, MO 63701-4799 (573) 651-2757	Missouri Southern State University Spiva Library 3950 East Newman Road Joplin, MO 64801-1595 (417) 625-9342	University Library Southwest Baptist University 1600 University Ave. Bolivar, MO 65613-2597 (417) 328-1631
St. Louis University Law Library 3700 Lindell Blvd. St. Louis, MO 63108-3478 (314) 977-2742	Riverside Regional Library PO Box 389, 204 South Union St. Jackson, MO 63755-0389 (573) 243-8141	Missouri State Library 600 West Main, PO Box 387 Jefferson City, MO 65102-0387 (573) 751-3615	Barry-Lawrence Regional Library 213 6th St. Monett, MO 65708-2147 (417) 235-6646
Eden Theological Seminary/ Webster University Eden/Webster Library 475 East Lockwood Ave. St. Louis, MO 63119-3192 (314) 961-2660 ext. 7812	Rutland Library Three Rivers Community College 2080 Three Rivers Blvd. Poplar Bluff, MO 63901-2393 (573) 840-9656	Missouri State Archives 600 West Main, PO Box 778 Jefferson City, MO 65102-0778 (573) 526-6711	Lyons Memorial Library College of the Ozarks General Delivery Point Lookout, MO 65726-9999 (417) 334-6411 ext. 3551
Thomas Jefferson Library University of Missouri-St. Louis 8001 Natural Bridge Road St. Louis, MO 63121-4499 (314) 516-5084	James C. Kirkpatrick Library Central Missouri State University 142 Edwards Library Warrensburg, MO 64093-5020 (660) 543-4149	Elmer Ellis Library University of Missouri-Columbia 106 B Ellis Library Columbia, MO 65211-5149 (573) 882-0748	Garnett Library Southwest Missouri State University 304 Cleveland West Plains, MO 65775-3414 (417) 255-7945
Washington University Washington University Law Library Campus Box 1171, Mudd Bldg., One Brookings Dr. St. Louis, MO 63130-4899 (314) 935-6443	Kansas City Public Library 311 East 12th St. Kansas City, MO 64106-2454 (816) 701-3546	Library State Historical Society of Missouri 1020 Lowry St. Columbia, MO 65211-7298 (573) 882-9369	Springfield-Greene County Library 4653 S. Campbell Springfield, MO 65801-0760 (417) 874-8110
St. Louis County Library 1640 S. Lindbergh Blvd. St. Louis, MO 63131-3598 (314) 994-3300 ext. 247	Law Library University of Missouri-Kansas City 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	Daniel Boone Regional Library PO Box 1267, 100 West Broadway Columbia, MO 65205-1267 (573) 443-3161 ext. 359	Meyer Library Southwest Missouri State University PO Box 175, 901 S. National Springfield, MO 65804-0095 (417) 836-4533
Maryville University Library 13550 Conway Road St. Louis, MO 63141-7232 (314) 529-9494	University of Missouri-Kansas City Miller Nichols Library 5100 Rockhill Road Kansas City, MO 64110-2499 (816) 235-2438	School of Law University of Missouri-Columbia 224 Hulston Hall Columbia, MO 65211-0001 (573) 882-1125	
St. Charles City-County Library Middendorf-Kredell Branch 2750 Hwy K O'Fallon, MO 63366-7859 (636) 978-7997	B.D. Owens Library Northwest Missouri State University 800 University Drive Maryville, MO 64468-6001 (660) 562-1841	Central Methodist College Smiley Memorial Library 411 Central Methodist Square Fayette, MO 65248-1198 (660) 248-6279	
Truman State University Pickler Memorial Library 100 E. Normal Kirksville, MO 63501-4221 (660) 785-7416	St. Joseph Public Library 927 Felix Street St. Joseph, MO 64501-2799 (816) 232-8151		

## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.



## **FROM THIS ANGLE...**

### **Automation is Coming!!! – REALLY!!!**

You have been hearing in this column from time-to-time that we are in the process of automating the administrative rules process. You probably are thinking . . . when? Well, we have been utilizing the first phase, Release 1, which is our internal logging and tracking piece. We are pleased to report this process is running very smoothly for us.

Next, phase 2 will introduce text editing and ***we are looking for volunteers.*** If you/your agency does frequent rule filings and/or if you are very familiar with the rulemaking process and wish to participate in a “*test group,*” now is the time to let us know! Call our main line number at 573-751-4015 and let us know of your interest. The test phase will introduce the template for rulemaking. The use of this template will greatly enhance your user capabilities. The learning curve will be very low because it is a Microsoft Word template and most, if not all of us, know Word. We believe you will find the template to be very “user friendly.”

The next introduction is one we are very excited about! This step will be e-mail notification, provided free of charge as a service of the office. If you wish to be notified *via* e-mail about a rulemaking which has been filed in a certain Title, Division, Chapter, Rule and/or subject matter, or, all of the preceding, all you need to is sign up, select your criteria – ***wait for an e-mail to acknowledge your sign-up – and activate your account.*** From that point forward, you will be notified any time a rulemaking that fits your criteria is filed. By January 15, we plan to have the e-mail notification piece in place. You may utilize the following URL to sign up – ***but please wait until January 15*** – or, if available sooner, we will post that information on our website. The address for signing up for the free e-mail notification is: <http://www.sos.mo.gov/adrules/>. *Please remember to wait until January 15, 2004.*

As with any project, the entire e-rules automation project will be an ever-developing evolution . . . but we believe you will see the tremendous benefits it will offer when complete. The entire project will be completed in

four phases. At this time, it is anticipated that by mid-summer, the entire project/process should be complete and fully operational.

We look forward to the opportunity to work with you as together we make technological improvements to the rulemaking process – especially the paperwork required.

As always, if we may be of assistance in the preparation of your rulemakings, in teaching a class to your agency on proper format, preparation of your rulemaking paperwork, etc., please contact us. We are here to help.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Lynne C. Angle'.

Lynne C. Angle, Director  
Administrative Rules Division



**T**he Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2003.

## EXECUTIVE ORDER 03-18

WHEREAS, the State of Missouri recognizes the critical importance of interoperable communications in the public safety community to the people of Missouri; and

WHEREAS, communications interoperability and positive interaction between public safety entities are a critical element to the day to day safety of first responders throughout Missouri, as they provide a safe environment to the benefit of Missouri's citizens; and

WHEREAS, Missouri's statewide public safety voice and data communications infrastructure need to be upgraded to promote efficient use of technological advances; and

WHEREAS, Missouri has pursued progress on the issue of interoperable communications by the establishment of the State Interoperable Executive Committee; and

WHEREAS, Missouri's 700 MHz Regional Planning Committee is recognized nationally and leading all states in preparing the plans necessary for Missouri public safety to benefit from the recently allocated 700 MHz public safety spectrum; and

WHEREAS, Missouri has been active in planning national strategy for 700 MHz development by participating in a working group under the Interoperability Subcommittee of the Federal Communication Commission's National Coordination Committee; and

WHEREAS, Missouri has participated on the National Task Force on Interoperability, a task force designed to identify interoperable communications needs across the country.

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the constitution and the laws of the State of Missouri, do hereby order that the Missouri State Highway Patrol within the Department of Public Safety be designated the lead agency in State communications. The Highway Patrol's Communications Division shall serve to coordinate and implement communications technology initiatives for the State, particularly with respect to interoperable communication initiatives among state, local, federal, and public service entities; and

The Highway Patrol shall have authority and responsibility to establish state-wide policies with respect to communications technology that will contribute to the interoperability environment within the State of Missouri; and

The Highway Patrol shall annually produce a Communications Strategic Plan to serve as a guide for establishing and maintaining interoperable communications among public safety and public service entities; and

The Highway Patrol shall annually prepare a report, *The State of Public Safety Communications in Missouri*, and submit the report by December 1 of each year to the Governor, the Chief Justice of the Supreme Court and the Senate and House Appropriation Chairs for consideration in the State's budget process; and

This order shall not be construed to alter the existing authorities of any executive agency or department, except that all executive departments and agencies are directed to assist the Highway Patrol in carrying out the purposes of this order.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 10<sup>th</sup> day of December, 2003.

  
\_\_\_\_\_  
Bob Holden  
Governor

ATTEST:

  
\_\_\_\_\_  
Matt Blunt  
Secretary of State



**EXECUTIVE ORDER  
03-19**

Whereas, the safety of the people of Missouri is of the highest concern to the State of Missouri and its officials; and

Whereas, the people of Missouri depend upon the public safety personnel in the State of Missouri to protect the safety and security of the public; and

Whereas, public safety personnel must work together effectively and efficiently to coordinate their response to emergencies, minimize response time, and maximize resources; and

Whereas, dependable public safety radio communications is an essential component of Missouri's response to emergencies to get the right resources to the right places at the right time and as quickly as possible; and

Whereas, the public safety personnel in the State of Missouri depend upon communications equipment and personnel for their own safety and the safety of the public, and

Whereas, public safety radio communications are a critical infrastructure to the public safety personnel responding to those emergencies by providing an invaluable lifeline to emergency assistance both for the unfortunate victims and for the emergency personnel themselves; and

Whereas, communications interoperability is a critical element to the safety of emergency personnel throughout Missouri and to the benefit of Missouri's citizens; and

Whereas, the State of Missouri supports the efforts of emergency responders and must ensure that they have the tools necessary to serve and protect the people of Missouri.

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the constitution and the laws of the State of Missouri, do hereby declare that it is the public policy of this state to promote effective and interoperable public safety communications in real time and on demand between all personnel of all state, local, and federal agencies, and the development of necessary communications capabilities and procedures needed to provide assured emergency response, and to minimize the response time for first responders to emergency or disastrous situations. It is the responsibility of this state to establish an interoperable public safety radio environment for the benefit of the public, and all local, state, and federal emergency responders in Missouri.

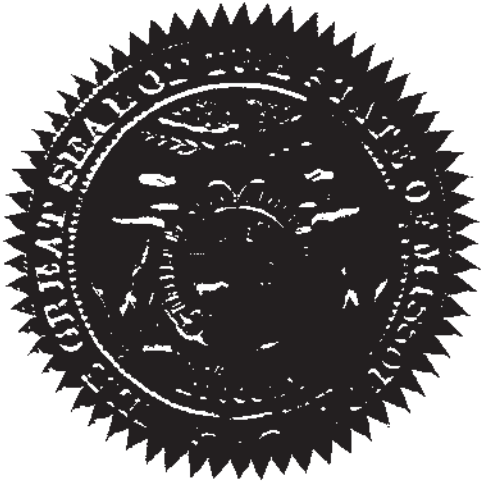
There is hereby created a "Public Safety Communications Committee", to be composed of:

- (1) The Director of the Department of Public Safety or designee;
- (2) The Director of the Office of Homeland Security or designee;
- (3) The Director of the Department of Conservation or designee;
- (4) The Director of the Department of Transportation or designee;
- (5) The Director of the Department of Natural Resources or designee;
- (6) The Director of the Department of Corrections or designee; and
- (7) The Director of the Department of Health or designee.

The Public Safety Communications Committee shall have as its primary mission the maintenance and operation of state radio communications for the delivery of reliable and interoperable communications capability to all state radio users. The committee shall establish and follow a long-term radio communications strategy to effectively and efficiently meet the radio communications needs of all state radio users and shall seek state and federal funding mechanisms to implement that strategy.

There is further hereby established the position of Public Safety Communications Coordinator, within the Department of Public Safety's Highway Patrol Communications Division, to head the committee. The Coordinator shall endeavor to consolidate, enhance, and promote communication functions within Missouri state government and foster interoperable communications among all public safety radio users in Missouri. The Coordinator shall have primary responsibility and authority in matters of state operated radio communications.

The communications committee shall ensure that state radio systems are interoperable with local and federal agencies and comply with interoperability standards, policies, and practices adopted by Missouri's FCC recognized State Interoperability Executive Committee, which shall act as a communications oversight task force with participation of and representation from private, local and state agencies of all public safety disciplines. The Communications Coordinator shall work in cooperation with the State Interoperability Executive Committee (SIEC) to promote effective interoperable communications among local, state, and federal radio users in the State of Missouri.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 10<sup>th</sup> day of December, 2003.

  
\_\_\_\_\_  
**Bob Holden**  
Governor

**ATTEST:**

  
\_\_\_\_\_  
**Matt Blunt**  
Secretary of State

**EXECUTIVE ORDER  
03-20**

WHEREAS, the State of Missouri recognizes the importance of public safety radio communications and the critical role it plays in homeland security and emergency response; and

WHEREAS, the State of Missouri understands the need for improving the ability of all emergency responders to communicate with one another across technological and operational barriers; and

WHEREAS, the State of Missouri has taken a proactive leadership role in addressing homeland security concerns; and

WHEREAS, the majority of all public safety agencies in the State of Missouri operate in the same public safety frequency band; and

WHEREAS, the majority of state agency radio users operate in that same public safety frequency band; and

WHEREAS, the State Interoperability Executive Committee, the Missouri State Highway Patrol, the Department of Public Safety, and the Office of Homeland Security have established in that same band the Missouri Tactical (MTAC) Statewide Interoperability Channel; and

WHEREAS, the State Interoperability Executive Committee has made "MTAC" available to all users in that band to establish a basic level of interoperability; and

WHEREAS, the Federal Communications Commission has established non-discipline-specific interoperability channels in several frequency bands to serve all emergency responders.

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the constitution and the laws of the State of Missouri, do hereby order that all two-way radios used by agencies of the State of Missouri shall be configured, to whatever extent is technically practical, to include established interoperability channels as specified by the State Interoperability Executive Committee.

These communications channels shall be used in accordance with the operational parameters set forth in the requisite Memorandum of Understanding to the mutual aid and benefit of all users.



ATTEST.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 10th day of December, 2003.

A handwritten signature in cursive script, reading "Bob Holden", written over a horizontal line.

**Bob Holden**  
**Governor**

A handwritten signature in cursive script, reading "Matt Blunt", written over a horizontal line.

**Matt Blunt**  
**Secretary of State**

**EXECUTIVE ORDER  
03-22**

WHEREAS, the safety and security of the citizens of the State of Missouri is a primary function of state and local government, and the availability of an accurate sex offender registry, along with prompt enforcement of registration violations, enhances public safety;

WHEREAS, there are currently more than 9,000 registered sex offenders as a result of legislation that was first enacted in 1994;

WHEREAS, the ability to accurately provide sex offender registration information to concerned citizens in a timely fashion requires the coordinated effort of the Department of Corrections, Missouri State Highway Patrol, and local law enforcement;

WHEREAS, lapses in the sex registration process could lead to serious consequences for sex offense victims; and

WHEREAS, the need exists to conduct a systemic review of the sex offender registration process to increase registry accuracy, enforcement, victim access, and offender accountability;

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby create and establish the Missouri Sexual Offender Registration Task Force (hereinafter referred to as the "Task Force") to study solutions for improving the sex offender registration process in Missouri.

Be it further resolved that the Task Force is assigned for administrative purposes to the Office of the Governor.

Be it further resolved that the Task Force, whose primary task will be to analyze, determine and recommend courses of action relating to the improvement of the sex offender registration process, including recommendations for statutory changes consistent with the objectives set forth in this Executive Order, shall be comprised of the following eleven (11) members:



- The Director of the Department of Corrections or an appointed designee;
- The Chair of the Parole Board or an appointed designee;
- The Director of the Department of Public Safety or an appointed designee;
- The Missouri State Highway Patrol Superintendent or an appointed designee;
- One member of the Senate from the majority party and one member of the Senate from the minority party, appointed by the President Pro Tem of the Senate;
- One member of the House of Representatives from the majority party and one member of the House of Representatives from the minority party appointed by the Speaker of the House;
- One Victim Rights advocate appointed by the Governor;
- One Prosecuting Attorney appointed by the Governor;
- One County Sheriff appointed by the Governor.

Be it further resolved that the Task Force members shall serve without compensation, except that they may be reimbursed for actual and necessary expenses incurred in the performance of their official duties for the Task Force.

Be it further resolved that the Task Force may invite individuals representing local and federal agencies or private organizations and the general public to serve as ex. officio members.

Be it further resolved that the Task Force shall submit a report of its activities to the Governor, the President Pro-Tem of the Senate and the Speaker of the House of Representatives by May 1, 2004, Task Force members shall serve until January 1, 2005.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 10<sup>th</sup> day of December, 2003.

  
\_\_\_\_\_  
**Bob Holden**  
Governor

**ATTEST:**

  
\_\_\_\_\_  
**Matt Blunt**  
Secretary of State

**EXECUTIVE ORDER  
03-23**

WHEREAS, an effective disaster response and recovery system must have the well-being and recovery of Missouri citizens as a principal goal; and

WHEREAS, a collaborative effort by Missouri charitable and not-for-profit social service organizations and government agencies can improve the way services are provided to disaster survivors; and

WHEREAS, the Governor's Disaster Recovery Partnership -- convened to improve the coordination and delivery of services provided to survivors of the Flood of 1993 -- has confirmed that government and nongovernmental organizations can combine resources and coordinate efforts to reach disaster survivors and provide assistance that neither group could provide as effectively on its own; and

WHEREAS, the Disaster Recovery Partnership has developed an effective model for public/private collaboration to improve Missouri's disaster response and recovery systems; and

WHEREAS, recent attacks on our country coupled with the creation of an integrated Department of Homeland Security have reaffirmed the need for increased planning and training for all-hazard response(s), especially with attention to the human aspects of recovery; and

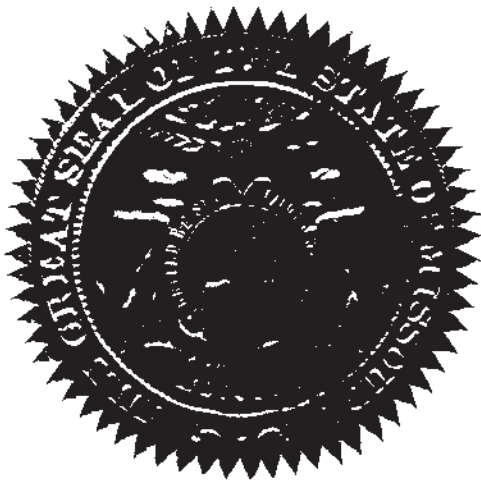
WHEREAS, recent tornadoes and flooding have seriously affected the citizens and communities of Missouri to an unprecedented degree:

NOW, THEREFORE, I, Bob Holden, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby affirm the endeavors of the Disaster Recovery Partnership and ascribe to it the additional functions of a State Citizen Council. The Disaster Recovery Partnership shall meet no less frequently than quarterly and provide a biennial report to my office, the Office of Homeland Security, and the State Emergency Management Agency.

The Disaster Recovery Partnership ("Partnership") shall be comprised of governmental and private agency representatives. To form the membership of the Partnership, I direct the state departments of Agriculture, Economic Development, Elementary and Secondary Education, Health and Senior Services, Insurance, Labor and Industrial Relations, Mental Health, Social Services, Natural Resources, Conservation, the State Emergency Management Agency, the Missouri Housing Development Commission, and the Office of Administration to designate one representative each with appropriate policy-making authority. I further agree and direct that the Office of the Governor may designate one representative from the Governor's staff to serve as a member of the Partnership. In addition, I direct the Partnership, by and through its chairs, to invite membership from a wide range of private sector organizations and agencies who by nature of their charters and mission are uniquely suited to enhance the delivery of assistance to victims of disasters. The Partnership shall be directed by two co-chairs. One co-chair shall represent the public-sector members of the Partnership and shall be appointed by the Governor. The second co-chair shall represent the private-sector members of the Partnership and shall be elected by a majority vote of such members. The Disaster Recovery Partnership shall be staffed by the State Emergency Management Agency.

The Disaster Recovery Partnership's responsibilities shall include:

- Reviewing and implementing, as appropriate, the recommendations of the original Disaster Recovery Partnership;
- Reviewing the human services disaster response and recovery delivery methods with a goal of improving service to the citizens of Missouri;
- Designing methods of more rapid collection and analysis of data on disaster victims and their needs;
- Developing a simplified intake system linked to centralized databanks to improve human services response and recovery services;
- Establishing more rapid and complete communications to disaster victims and caregivers during emergency response and recovery stages;
- Promoting, training and supporting local committees, similar to the local unmet needs committees formed during the flood of 1993, with additional attention to the establishment and representation of community Citizen Councils; and
- Functioning as a Statewide Citizen Council for the State of Missouri, with support to the Homeland Security Council on post-disaster human service issues.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 10<sup>th</sup> day of December, 2003.

  
\_\_\_\_\_  
**Bob Holden**  
Governor

**ATTEST:**

  
\_\_\_\_\_  
**Matt Blunt**  
Secretary of State

**EXECUTIVE ORDER  
03-25**

WHEREAS, on November 9, 2001, I appointed members of the Missouri Homeland Security Panel, the membership of which was charged with comprehensively reviewing the State of Missouri's situation with regard to homeland security, recommending changes if necessary, and identifying federal funds with which to implement the recommended changes; and

WHEREAS, on September 11, 2002, I issued Executive Order 02-15 establishing the Missouri Security Council for the express purposes of coordinating homeland security-related activities between executive agencies and local political subdivisions and effective development and implementation of homeland security policies; and

WHEREAS, the Director of Homeland Security was charged with determining the agenda of Missouri Security Council meetings, ensuring necessary papers are prepared, recording Council actions and recommendations, serving as the principal liaison to any federal Homeland Security offices or agencies and advising the Governor on all state Homeland Security issues; and

WHEREAS, the Director of Homeland Security, in meeting his charge, did establish a Cyber Security Committee for the express purpose of studying and making recommendations to ensure the security of cyber space with respect to Missouri's critical information technology infrastructure; and

WHEREAS, cyber attacks seek to threaten public safety, individual privacy, corrupt valuable data, and disrupt the capability of public and private entities to function effectively, thereby eroding public confidence; and

WHEREAS, cyber attacks have been increasingly more frequent and disruptive and commonly recognized as a threat to Homeland Security; and

WHEREAS, CyberSecurity is the protection and defense of Cyberspace, a critical infrastructure made up of digital information that is electronically communicated. CyberSecurity encompasses the people, processes and techniques for protecting and defending cyber assets, so that they are available to authorized users and cannot be compromised or changed by unauthorized individuals; and

WHEREAS, the continued confidentiality, integrity, availability, authenticity and continuity of operation of State of Missouri information technology and information assets are an essential element of Missouri's Homeland Defense, e-government and day-to-day business capability:

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the constitution and the laws of the state of Missouri, do hereby order the following:

Section 1. Policy. It shall be the policy of the state of Missouri that each state department or agency shall work diligently to combat cyber attacks and to protect the cyber assets of the state.

- a. Each agency shall adopt policy consistent with the guidelines and model policy developed by the Cyber Security Committee of the Missouri Security Council and recommended by the Information Technology Advisory Board and establish appropriate procedures to ensure that information technology assets and information are adequately protected from cyber attacks.
- b. Each agency shall specifically address the issue of cyber security with any entity with whom it conducts business electronically to determine if they have appropriate cyber security controls in place to afford the state protection from cyber attacks initiated through those electronic business connections.

Section 2. Office of Information Technology. The Office of Information Technology (OIT) shall be the principal inter-agency forum to improve state policies and procedures with respect to cyber security. OIT, in its role as chair of the Cyber Security Committee of the Missouri Security Council and in consultation with the Information Technology Advisory Board, shall provide advice and make recommendations to the Chief Information Officer regarding appropriate government-wide measures to carry out this order. Minimally, the OIT shall:

- a. Make cyber security a high priority and treat it as a public safety issue; and
- b. Take steps to establish a centralized information security management organization capable of executing and supporting industry recognized security provisions, programs and assessments; and
- c. Ensure the state's enterprise information technology architecture has as a prominent element a security domain; and
- d. Ensure the issue of privacy is equally considered in the development of cyber security policy and procedures and formulate government-wide recommendations on privacy as appropriate and consistent with cyber security recommendations.

Section 3. Chief Information Officer. The Chief Information Officer (CIO) shall issue statewide cyber security and privacy policy consistent with recommendations put forth by the Cyber Security Committee of the Missouri Security Council and the Information Technology Advisory Board. In administering policy, the CIO shall utilize appropriate oversight mechanisms to foster agency compliance with policies issued to carry out this order.

Section 4. Alteration of Authority. This order shall not be construed to alter the existing authorities of any executive agency or department, except that all executive departments and agencies are directed to assist the Chief Information Officer in carrying out the purposes of this order.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 10<sup>th</sup> day of December, 2003.

  
\_\_\_\_\_  
**Bob Holden**  
Governor

**ATTEST:**

  
\_\_\_\_\_  
**Matt Blunt**  
Secretary of State



**EXECUTIVE ORDER  
03-26**

WHEREAS, the State of Missouri recognizes the critical importance of information technology to its government, industry, and economy; and

WHEREAS, information technology has emerged as a significant business enabler for the State of Missouri; and

WHEREAS, Missouri is recognized nationally as having a progressive information technology program; and

WHEREAS, the National Association of State Chief Information Officers has testified before Congress on the merits of a federal chief information officer and recognized Missouri as the preeminent model in the nation for such a position; and

WHEREAS, the State of Missouri is the only state to have had its Chief Information Officers elected as president to lead the National Association of State Chief Information Officers twice in its 30 year history; and

WHEREAS, Missouri has benefited from the existence of an Office of Information Technology and the service of a Chief Information Officer; and

WHEREAS, the Office of Information Technology has been successful in developing strategies and policies to improve existing information technology investments and create a plan to establish an infrastructure which supports innovative government management solutions; and

WHEREAS, the Chief Information Officer has served Missouri well in addressing statewide and national issues such as e-government, homeland security, HIPAA, software piracy, justice integration, digital signature, data center consolidation and Y2K; and

WHEREAS, the Office of Information Technology and the Chief Information Officer are referenced in a variety of state statutes and Executive Orders; and

WHEREAS, there is a continuing need to incorporate information technology in state plans as high technology has made enormous contributions to the state's economic growth and competitiveness and the high technology industry is one of the most vibrant sectors of Missouri's economy and high technology extends benefits to Missouri businesses and Missouri citizens:

NOW, THEREFORE, I, BOB HOLDEN, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the constitution and the laws of the State of Missouri, do hereby reestablish the Office of Information Technology. The Office of Information Technology shall serve as the mechanism to coordinate information technology initiatives for the state, particularly with respect to inter-agency initiatives, between executive agencies and local political subdivisions and for the effective development, coordination and adoption of information technology policies. For administrative purposes, the Office of Information Technology shall be located within the Office of Administration; and

The Office of Information Technology shall have and be directed by a Chief Information Officer. The Chief Information Officer shall serve at the will of the Governor; and

The Chief Information Officer will convene an Information Technology Advisory Board made up of the Chief Information Officers of each Executive Branch department or agency and other such members as deemed appropriate to develop recommendations and coordinate programs with information technology elements; and

The Chief Information Officer shall have authority to establish a state enterprise information technology architecture that addresses the technology environment for the State of Missouri with respect to information technology principles, governance, technology and standards; and

The Chief Information Officer shall have authority to establish state-wide policies with respect to information technology that will contribute to the effective use of information technology within the State of Missouri; and

The Chief Information Officer shall annually produce an Information Technology Strategic Plan to serve as a guide for enabling state business program efficiencies where appropriate; and

The Chief Information Officer shall annually prepare a report, the State of Information Technology in Missouri, and submit the report by December 1 of each year to the Governor, the Chief Justice of the Supreme Court and the Senate Appropriation and House Budget Chairs for consideration in the state's budget process; and

This order shall not be construed to alter the existing authorities of any executive agency or department, except that all executive departments and agencies are directed to assist the Chief Information Officer in carrying out the purposes of this order.



ATTEST:

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson on this 10th day of December, 2003.

  
\_\_\_\_\_  
Bob Holden  
Governor

  
\_\_\_\_\_  
Matt Blunt  
Secretary of State

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*[Bracketed text indicates matter being deleted.]*

## Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 197—Board of Therapeutic Massage Chapter 1—General Rules

### PROPOSED AMENDMENT

**4 CSR 197-1.030 Name and Address Changes for Individuals.** The board is proposing to amend section (2) delete section (3), renumber the remaining sections and amend the newly renumbered section (4).

*PURPOSE: This amendment makes it easier for a licensee to change the legal name with the board office.*

(2) A licensee whose name has changed shall *[promptly:]*

*[(A) N]otify the board in writing **within thirty (30) days** of the change and provide a copy of the appropriate document *[indicating/authorizing the name change/].**

*[(B) Request from the board a new license bearing the individual's new legal name; and*

*(C) Return the current license bearing the former name.]*

*[(3) A licensee may request a replacement wall-hanging certificate by paying the wall-hanging replacement fee.]*

*[(4)] (3) A licensee whose address has changed from that printed on the license must inform the board, in writing, within thirty (30) days of the effective date of the change.*

*[(5)](4) Changes in telephone numbers *[should]* **shall** also be reported in the same manner as that described for changes in address.*

*AUTHORITY: sections 324.245, RSMo Supp. 2003 and 324.250, RSMo [Supp. 1999] 2000. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

## Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT Division 197—Board of Therapeutic Massage Chapter 1—General Rules

### PROPOSED AMENDMENT

**4 CSR 197-1.040 Fees.** The board is proposing to amend section (3).

*PURPOSE: The Board of Therapeutic Massage is statutorily obligated to enforce and administer the provisions of sections 324.240–324.275, RSMo. Pursuant to section 324.245, RSMo, the board shall by rule and regulation set the amount of fees authorized by section 324.245, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.240–324.275, RSMo. This proposed amendment is necessary because the board's fund balance will not allow the board to pay back funds loaned to the board in the initial start up portion of the fiscal years 2000 and 2001 and the projected revenue will not support the expenditures necessary to enforce and administer the provisions of sections 324.240–324.275, RSMo for future years which will result in an endangerment to the health, welfare, and safety of the public. Additionally, subsections (3)(D) and (3)(E) are being deleted pursuant to section 610.026, RSMo which states fees for copying records shall not exceed the actual cost of document search and duplication. Subsections (3)(F), (3)(G), (3)(K), (3)(N), and (3)(P) are being deleted as they are no longer applicable. Subsection (3)(O) is being amended to reflect the actual fees charged by the Missouri State Highway Patrol.*

(3) The fees are established as follows:

(A) Business License Fee	<i>[\$ 50.00]</i> <b>\$100.00</b>
(B) Business License Renewal Fee	<i>[\$ 50.00]</i> <b>\$100.00</b>

<b>1. Late Renewal Fee</b>	<b>\$50.00</b>
(C) Certified Mentor Fee	[\$ 50.00] <b>\$100.00</b>
[(D)] Computer Printout Fee (per page)	\$ .25]
[(E)] Copy Fee (per page)	\$ .25]
[(F)] Duplicate License Fee	\$ 5.00]
[(G)] Endorsement to another Jurisdiction Fee	\$ 15.00]
[(H)] (D) Insufficient Funds Check Charge Fee	\$ 25.00
[(I)] (E) Massage Therapist Application Fee	[\$ 150.00] <b>\$200.00</b>
[(J)] (F) Massage Therapist Renewal Fee	[\$ 150.00] <b>\$200.00</b>
<b>1. Late Renewal Fee 1–30 days</b>	<b>\$ 50.00</b>
<b>2. License Reinstatement Fee 31 days–2 years</b>	<b>\$100.00</b>
<b>3. Late Continuing Education Fee</b>	<b>\$ 50.00</b>
[(K)] Massage Therapist Temporary License Fee	\$ 150.00]
[(L)] (G) Provisional License Application Fee	[\$ 30.00] <b>\$50.00</b>
[(M)] (H) Provisional License [Extension]	
<b>Renewal Fee</b>	[\$ 30.00] <b>\$50.00</b>
[(N)] Wall-Hanging Fee Replacement	\$ 15.00]
[(O)] (I) Criminal Background Check Fee	[\$ 23.00]
<b>Amount to be determined by the Missouri State Highway Patrol</b>	
[(P)] Reciprocity Application Fee	\$ 150.00]
[(Q)] (J) Student License Fee	[\$ 15.00] <b>\$25.00</b>
<b>(K) Education Review Fee</b>	<b>\$25.00</b>

*AUTHORITY:* sections 324.245, *RSMo Supp. 2003*, 324.247, 324.250, 324.252, 324.265 and 324.267, *RSMo [Supp. 1999]* 2000. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will cost private entities an estimated five thousand six hundred eighty dollars (\$5,680) annually for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**PRIVATE ENTITY FISCAL NOTE**

**I. RULE NUMBER**

**Title 4 -Department of Economic Development**

**Division: 197 - Missouri Board of Therapeutic Massage**

**Chapter 1 - General Rules**

**Proposed Amendment - 4 CSR 197-1.040**

Prepared August 8, 2003 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
543	Students (Student License Fee Increase @ \$10)	\$5,430.00
5	Certified Mentors (Certified Mentor Fee Increase @ \$50)	\$250.00
	<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>	<b>\$5,680.00</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. The original fiscal notes estimating the costs of the student and certified mentor licenses were filed with the Secretary of States Office on February 25, 2000 with 4 CSR 197-2.040 Student License and 4 CSR 197-4.010 Certified Mentor.
2. The board has been issuing student licenses for 3 full fiscal years. The above estimates are based on an average of the 3 years student licenses and 5 certified mentor licenses have been issued.
3. All other costs associated with the fee increases are reflected in the fiscal note associated with changes made to the substantive rule.
4. The total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

NOTE: The board is statutorily obligated to enforce and administer the provisions of sections 324.240-324.275, RSMo. Pursuant to Section 324.245, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 324.240-324.275, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.240-324.275, RSMo. This proposed amendment is necessary because the board's projected revenue will not support the expenditures necessary to enforce and administer the provisions of sections 324.240-324.275, RSMo, which will result in an endangerment to the health, welfare, and safety of the public.



**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 2—Massage Therapist Licensure Requirements**

**PROPOSED AMENDMENT**

**4 CSR 197-2.010 Application for Licensure.** The board is proposing to amend sections (1), (2) and (4) and adding a new section (5).

*PURPOSE: This amendment expands accessibility to massage therapy programs and course work to include area vocational technical programs, board approved mentorships, colleges and universities. This amendment also outlines the procedure for an education review.*

(1) A person who has completed massage therapy studies consisting of at least five hundred (500) clock hours of supervised instruction in a Coordinating Board of Higher Education (CBHE) certified school, **Missouri Department of Elementary and Secondary Education (DESE) approved vocational program or school, or school, college, university, or other institution of higher learning in the United States accredited by a regional accrediting commission recognized by the United States Department of Education** or an equivalent approving body for out-of-state applicants, shall be at least eighteen (18) years of age and shall submit or cause to be submitted:

(C) An official final transcript showing successful completion of the program to be submitted directly to the board office from the massage therapy program which includes:

1. The applicant's name;
2. Date of enrollment;
3. Date of completion; and

4. Documentation that the massage therapy program consisted of at least five hundred (500) clock hours of supervised instruction which consisted of:

A. Three hundred (300) clock hours dedicated to massage theory and practice techniques provided by an instructor(s) who has practiced professionally for at least two (2) years and who is licensed or meets the qualifications for licensure as a massage therapist in the state of Missouri;

B. One hundred (100) clock hours dedicated to the study of anatomy and physiology provided by an instructor(s) who holds a bachelor's degree/minor in a healthcare related field including but not limited to the fields of physical therapy, chiropractic, osteopathy, medical doctor, physician assistant, nursing, etc. or a bachelor's degree/minor in a field related to anatomy and physiology including but not limited to biology, chemistry, health, microbiology, medicine, etc.;

C. Fifty (50) clock hours dedicated to business practice, professional ethics, hygiene and massage law in the state of Missouri provided by an instructor who demonstrates documentable experience/education in a related field; and

D. Fifty (50) clock hours dedicated to ancillary therapies provided by an instructor(s) who demonstrates *[documentable]* **documented** experience/education in a related field. The fifty (50) clock hours shall include but not be limited to cardiopulmonary resuscitation (CPR) and first aid which shall be provided by an instructor who holds the respective instructor certification; *[and]*

(D) Evidence of passing an examination from one of the following:

1. The National Certification Board of Therapeutic Massage and Bodywork (NCBTMB); or
2. The National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM); or
3. An examination deemed appropriate by the board./.; and

(E) **An applicant completing a massage therapy program consisting of less than five hundred (500) hours of supervised instruction from a Missouri Coordinating Board of Higher**

**Education (CBHE) approved school, Missouri Department of Elementary and Secondary Education (DESE) approved vocational program or school, college, university, or other institution of higher learning in the United States accredited by a regional accrediting commission recognized by the United States Department of Education or an equivalent approving agency for out-of-state schools, or who has completed a massage therapy program deficient in clock hours according to 4 CSR 197-2.010(1)(C)4.A.-D. may complete deficiencies at either a Missouri CBHE approved school, DESE approved vocational program, mentorship approved by the board, or school, college, university, or other institution of higher learning in the United States accredited by a regional accrediting commission recognized by the United States Department of Education, or an out-of-state school approved by an agency equivalent to CBHE.**

(2) A person who has completed five hundred (500) clock hours in an apprenticeship with a certified mentor and has successfully passed an examination approved by the board shall be at least eighteen (18) years of age and shall submit or cause to be submitted:

(C) Official evidence of completing five hundred (500) clock hours of massage therapy training in an apprenticeship with a certified mentor which includes:

1. The applicant name;
2. Date of enrollment;
3. Date of completion;

4. Documentation that the mentorship program consisted of at least five hundred (500) clock hours of supervised instruction which consisted of:

A. Three hundred (300) clock hours dedicated to massage theory and practice techniques provided directly by the certified mentor;

B. One hundred (100) clock hours dedicated to the study of anatomy and physiology provided by an instructor(s) who holds a bachelor's degree/minor in a healthcare related field including but not limited to the fields of physical therapy, chiropractic, osteopathy, medical doctor, physician assistant, nursing, etc. or a bachelor's degree/minor in a field related to anatomy and physiology including but not limited to biology, chemistry, health, microbiology, medicine, etc.;

C. Fifty (50) clock hours dedicated to business practice, professional ethics, hygiene and massage law in the state of Missouri provided by an instructor(s) who demonstrates *[documentable]* **documented** experience/education in a related field; and

D. Fifty (50) clock hours dedicated to ancillary therapies provided by an instructor(s) who demonstrates *[documentable]* **documented** experience/education in a related field. The fifty (50) clock hours shall include but not be limited to cardiopulmonary resuscitation (CPR) and first aid which shall be provided by an instructor who holds the respective instructor certification; and

(4) Temporary Two (2)-Year License.

(C) During the temporary two (2)-year license period the licensee shall complete at least one hundred (100) additional clock hours of formal training approved by the board and shall:

1. Cause an official final transcript to be submitted directly to the board office from the approved massage therapy school, **Missouri Department of Elementary and Secondary Education (DESE) approved vocational program or school, mentorship approved by the board, or school, college, university, or other institution of higher learning in the United States which, at the time the applicant was enrolled, was accredited by a regional accrediting commission recognized by the United States Department of Education** which includes:

- A. The applicant's name;
- B. Date of enrollment;
- C. Date of completion; and



D. Evidence that one hundred (100) clock hours of formal training included at least twenty-five (25) clock hours in anatomy and physiology.

**(5) Educational Review.**

**(A) The board may review a person's educational credentials prior to application for licensure upon receiving a written request to the board. The person requesting the education review shall be responsible for providing official transcripts and paying the required fee.**

*AUTHORITY: sections 324.240, 324.265, 324.267 and 324.270, RSMo [Supp. 1999] 2000, 324.243 and 324.245, RSMo Supp. 2003. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.*

*PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions an estimated increase of eighteen dollars and thirty-seven cents (\$18.37) annually for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*PRIVATE COST: This proposed amendment will cost private entities an estimated increase of eighteen thousand four hundred forty-three dollars and eighty-one cents (\$18,443.81) annually for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

## PUBLIC ENTITY FISCAL NOTE

## I. RULE NUMBER

Title 4 -Department of Economic Development

Division 197 - Application for Licensure

Chapter 2 - Massage Therapist Licensure Requirements

Proposed Amendment - 4 CSR 197-2.010 Application for Licensure

Prepared August 8, 2003 by the Division of Professional Registration

Affected Agency or Political Subdivision	Estimated Cost of Compliance
Board of Therapeutic Massage	\$18.37
Total Annual Cost of Compliance for the Life of the Rule	
	\$18.37

## III. WORKSHEET

## IV. ASSUMPTIONS

- The number of individuals by class are based on actual figures from FY03 and projected figures in FY04. The board estimates 10 education reviews will be conducted annually.

- Calculation of Expense & Equipment and Personal Services Costs:

The salary for the Executive Director is shared with four (4) other boards. The figures below represent the personal service costs supported by the Board of Therapeutic Massage.

Employee's salaries were calculated using their annual salary multiplied by 40.47% for fringe benefits and then were divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications or renewals.

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Executive Director	\$8,215.20	\$11,539.89	\$5.55	\$0.09	15	\$1.39	\$13.87
							\$13.87

It is estimated that the following staff time will be devoted on each educational review request for the following duties:

Executive Director - Applications for content and instructor approval from the Department of Elementary and Secondary Education will be reviewed by the executive director and sent to the board's educational subcommittee for review - 5 minutes

Educational Subcommittee - The Educational Subcommittee of the board is comprised of 3 board members. The subcommittee will be responsible for the prospective applicant's educational review. Members of the board/subcommittee do not receive per diem. The board estimates it will cost \$4.50 annually to mail the educational review documentation to members of the committee.

Expense and Equipment Costs (postage for mailing packets to members of the subcommittee)	\$4.50
Personal Service Cost (Executive Director time for preparing reviews for mailing to subcommittee)	\$13.87
<b>Total Expense and Equipment and Personal Service Cost for Board Staff</b>	<b>\$18.37</b>

- The total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

NOTE: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual cost incurred by the board, which includes personal service, expense and equipment and transfers.

**PRIVATE ENTITY FISCAL NOTE****I. RULE NUMBER****Title 4 -Department of Economic Development****Division: 197 - Missouri Board of Therapeutic Massage****Chapter 2 - Massage Therapist Licensure Requirements****Proposed Rule - 4 CSR 197-2.010 Application for Licensure**

Prepared August 8, 2003 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
225	Applicants (Massage Therapy Application - Increase @ \$50)	\$11,250.00
10	Perspective Applicants (Education Review @ \$25)	\$250.00
13	Perspective Applicants (Postage @ \$.37)	\$4.81
13	Perspective Applicants (Transcript @ \$3.00)	\$39.00
3 @ 200 hours	Perspective Applicants (Program Hour \$11.50 per hour)	\$6,900.00
	<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>	<b>\$18,443.81</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. In fiscal year 2003 the board issued 289 licenses to massage therapists. Given the number of provisionally licensed massage therapists and applicants from other states the board estimates it will issue 225 original licenses per fiscal year.
2. The board has received requests from perspective applicants to review the curriculum of a massage therapy program. Based upon the review of closed session minutes regarding credentials of perspective applicants the board estimates it will conduct at least 10 education reviews each fiscal year.
3. The costs for postage and transcripts are based upon current costs to send a letter first class mail and an average cost of a transcript. The total costs include education review and documenting additional course work completed toward the 500 hour requirement.

4. The board has reviewed nearly 100 massage therapy education programs from other states with the vast majority meeting Missouri's requirements in both minimum number of hours and content. An applicant licensed by the State of Texas, for example, must complete 300 hours of massage therapy education from an approved program to meet the minimum educational requirements in that state. The board estimates it has reviewed at least 3 applications from Texas licensees with the 200 hour program deficiency noted. It must be underscored that the number of hours composing out of state programs varies and that most contemporary programs either meet or exceed Missouri's requirements. The range to comply with educational requirements could be less than \$50 to complete 3 program hours to \$2,300 to complete 200 hours. The cost estimate is based upon the average per program hour charge of Missouri approved programs.
5. The total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

NOTE: The board is statutorily obligated to enforce and administer the provisions of sections 324.240-324.275, RSMo. Pursuant to Section 324.245, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 324.240-324.275, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.240-324.275, RSMo. This proposed amendment is necessary because the board's projected revenue will not support the expenditures necessary to enforce and administer the provisions of sections 324.240-324.275, RSMo, which will result in an endangerment to the health, welfare, and safety of the public.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 2—Massage Therapist Licensure Requirements**

**PROPOSED AMENDMENT**

**4 CSR 197-2.030 Provisional License.** The board is proposing to amend sections (2) and (3).

*PURPOSE: This amendment changes the amount of time that a massage therapist shall be provisionally licensed and outlines the process to renew a provisional license.*

(2) A provisional license is valid for *[sixty (60)]* **ninety (90)** days **from the date of issuance**. Upon expiration of a provisional license the licensee shall no longer engage in the practice of massage therapy.

(3) *[A provisional license may be renewed once at the discretion of the board.]* **A provisional license may be renewed for an additional ninety (90) days from the date of expiration at the discretion of the board. To renew a provisional license the applicant must complete an application and pay the required fee.**

*AUTHORITY: sections 324.245, RSMo Supp. 2003 and 324.265, RSMo [Supp. 1999] 2000. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities an estimated four thousand two hundred dollars (\$4,200) annually for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*



PRIVATE ENTITY FISCAL NOTE

**I. RULE NUMBER**

Title 4 -Department of Economic Development

Division: 197 - Missouri Board of Therapeutic Massage

Chapter 2 - Massage Therapist Licensure Requirements

Proposed Rule - 4 CSR 197-2.030 Provisional License

Prepared August 8, 2003 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
200	Applicants (Provisional License Application - Increase \$20)	\$4,000.00
10	Applicants (Provisional License Renewal - Increase \$20)	\$200.00
	<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>	<b>\$4,200.00</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. It is estimated the board will issue 200 provisional licenses based upon FY 2002 applications approved.
2. This issuance of a renewed provisional license will likely be the result of an licensee failing to pass the national examination. The number of candidates failing the exam is confidential information maintained by the testing service and not reported to the board. Therefore, the number of renewed provisional licenses is an estimate.
3. The total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

NOTE: The board is statutorily obligated to enforce and administer the provisions of sections 324.240-324.275, RSMo. Pursuant to Section 324.245, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 324.240-324.275, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.240-324.275, RSMo. This proposed amendment is necessary because the board's projected revenue will not support the expenditures necessary to enforce and administer the provisions of sections 324.240-324.275, RSMo, which will result in an endangerment to the health, welfare, and safety of the public.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 2—Massage Therapist Licensure Requirements**

**PROPOSED AMENDMENT**

**4 CSR 197-2.050 License Renewal.** The board is proposing to add new language in subsection (1)(A), amend section (5), and add new sections (6) and (7).

*PURPOSE:* This amendment adds language to allow a licensee to submit a late fee for continuing education and obtain the continuing education within thirty (30) days of the expiration of the license and adds language regarding the process to renew and reinstate an expired license based upon the number of days from the expiration the license has lapsed.

(1) Each licensee who holds a license pursuant to sections 324.240 to 324.275, RSMo shall complete, during the two (2)-year license period prior to renewal, as a condition of the license renewal, twelve (12) clock hours of continuing education relevant to the practice of massage therapy which shall include universal precautions/infection control and cardiopulmonary resuscitation (CPR) certification.

(A) Continuing education credits earned after the expiration date of a license may apply to the previous renewal cycle if the licensee pays the continuing education late fee as defined in 4 CSR 197-1.040(3)(F)3. and documents completion of the continuing education as required by 4 CSR 197-2.050(1). Payment of the continuing education late fee will entitle a licensee to earn continuing education credits for the previous year. Such hours shall be completed no later than thirty (30) days from the expiration date of the license.

(5) [Receipt of the application for renewal after the expiration date of the license shall cause the license to become not current and a licensee who continues to practice without a valid license shall be deemed to be practicing in violation of sections 324.240 to 324.275, RSMo and subject to the penalties contained therein.] The license of a massage therapist that is not renewed by the expiration date shall lapse and become not current. A person may renew the lapsed license by completing the renewal form and paying the required renewal and late fees as defined in 4 CSR 197-1.040(3)(F) and (3)(F)1. within thirty (30) days of the expiration date. The lapsed licensee shall not provide massage therapy until filing the renewal form and paying the required fees.

(6) A licensed massage therapist may request reinstatement of a license up to two (2) years from the expiration date by completing the required reinstatement application, paying the required fees as defined in 4 CSR 197-1.040(3)(F) and (3)(F)2. and document completion of the continuing education as required by 4 CSR 197-2.050(1). If the massage therapist fails to reinstate a license within two (2) years of the expiration date, the former licensee must submit an application for licensure, pay the required fee, and comply with the current requirements for licensure.

(7) A massage therapist with a lapsed license, as provided in this rule, may be reinstated at the sole discretion of the board upon payment of the required fee and submitting the required application.

*AUTHORITY:* sections 324.245, RSMo Supp. 2003, 324.262 and 324.265, RSMo [Supp. 1999] 2000. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will cost private entities an estimated increase of sixty-six thousand five hundred fourteen dollars and eighty cents (\$66,514.80) biennially for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**PRIVATE ENTITY FISCAL NOTE**

**I. RULE NUMBER**

**Title 4 -Department of Economic Development**

**Division: 197 - Missouri Board of Therapeutic Massage**

**Chapter 2 - Massage Therapist Licensure Requirements**

**Proposed Rule - 4 CSR 197-2.050 License Renewal**

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
1300	Licensees (Renewal Fee Increase \$50)	\$65,000.00
20 Requests	Licensees (Late Fee 1-30 Days \$25)	\$500.00
10 Requests	Licensees (Late Fee 31 Days-2 Years \$50)	\$500.00
10 Requests	Licensees (Late Continuing Education Fee \$50)	\$500.00
40 Requests	Licensees (Postage for Late Fee Requests \$.37)	\$14.80
<b>Estimated Biennial Cost of Compliance for the Life of the Rule</b>		<b>\$66,514.80</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. In fiscal year 2003, 1,300 licenses were renewed.
2. The board estimates it will receive at least 20 requests to reinstate the license within 30 days of the expiration date.
3. The board estimates it will receive at least 10 requests to reinstate the license up to 2 years from the expiration date.
4. The board estimates it will receive at least 10 requests to obtain continuing education for the current renewal cycle within 30 days of the expiration date of the license.
5. The postage estimate is for all requests relating to paying a late fee.
6. The total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**NOTE:** The board is statutorily obligated to enforce and administer the provisions of sections 324.240-324.275, RSMo. Pursuant to Section 324.245, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 324.240-324.275, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.240-324.275, RSMo. This proposed amendment is necessary because the board's projected revenue will not support the expenditures necessary to enforce and administer the provisions of sections 324.240-324.275, RSMo, which will result in an endangerment to the health, welfare, and safety of the public.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 3—Standards of Practice**

**PROPOSED AMENDMENT**

**4 CSR 197-3.010 Standards of Practice.** The board is proposing to add subsection (4)(B) to clarify the licensee's responsibility for client/patient records.

*PURPOSE:* This amendment clarifies the licensee's responsibility for maintaining client/patient records.

(4) Confidentiality of Clients.

**(B) Client records for massage therapy services not provided at a licensed massage therapy business shall be maintained by the licensed massage therapist.**

*AUTHORITY:* sections 324.245, *RSMo Supp. 2003* and 324.262, *RSMo [Supp. 1999] 2000*. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 5—Massage Therapy Business Requirements**

**PROPOSED AMENDMENT**

**4 CSR 197-5.010 Massage Therapy Business—Survey Inspections.** The board is proposing to amend subsections (1)(G) and (1)(H).

*PURPOSE:* This proposed amendment clarifies who is responsible for maintaining client/patient records and clarifies the requirement that a massage therapy business maintain proof of general liability insurance.

(1) Each massage therapy business owner or manager shall:

(G) Be responsible for maintaining client records for at least three (3) years. This includes safeguarding verbal and written confidential information of the client, unless disclosure is required by law, court order, or authorized by the client. **Client records for massage therapy services not provided at a licensed massage therapy business shall be maintained by the licensed massage therapist;**

(H) *[Maintain professional liability insurance; a copy of which shall be available on the premises;]* **Shall maintain proof that the massage therapy business location or premises has current general liability insurance;**

*AUTHORITY:* sections 324.240, 324.247, 324.250, 324.252, 324.255, 324.257 and 324.260, *RSMo [Supp. 1999] 2000* and

324.245, *RSMo Supp. 2003*. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 5—Massage Therapy Business Requirements**

**PROPOSED AMENDMENT**

**4 CSR 197-5.020 Issuance of an Original Business License.** The board is proposing to delete section (2) and renumber the remaining sections.

*PURPOSE:* This amendment removes language that is not applicable or enforceable regarding massage therapy business inspections.

*[(2) Six (6) months from the effective date of this rule no massage therapy business shall practice without a business license issued by the board.]*

*[(3)](2)* A massage therapist may not practice massage therapy at a site, location, or place which is not duly licensed as a massage therapy business, except at the residence or location provided by the client, at a health fair, sports event, trade show or healthcare facility.

*[(4)](3)* The license is valid only for the premises located at the address provided in the initial application for the massage therapy business.

*[(5)](4)* Massage practiced in the home shall be in an area used only for massage therapy or for clinical or other health related purposes and shall have lavatory facilities.

*[(6)](5)* A person applying for a business license shall be at least eighteen (18) years of age and shall submit:

(A) A completed notarized application and application fee.

*[(7)](6)* A survey inspection shall be completed and on file with the board prior to the issuance of a business license.

*[(8)](7)* The board may conduct any survey inspection, as they deem appropriate during normal business hours.

*[(9)](8)* Refusal to permit a survey inspection shall constitute valid grounds for denial of licensure or renewal of license.

*[(10)](9)* The business license shall be displayed in a conspicuous place on the premises of the licensed massage therapy business.

*[(11)](10)* Upon completion of each board survey inspection, a written report shall be prepared with respect to the massage therapy business's compliance or noncompliance with the provisions of sections

324.240 to 324.275, RSMo and the rules of this Chapter and the deficiencies found.

*[(12)](11)* A copy of the survey report and the list of deficiencies found shall be sent to the massage therapy business within fifteen (15) days following the survey inspection. The list of deficiencies shall specifically state the statute or rule which the massage therapy business is alleged to have violated.

*[(13)](12)* Within thirty (30) days of receipt of the report the board must receive a plan of correction from the business owner or manager to include time necessary for compliance.

*[(14)](13)* After thirty (30) days, if the massage therapy business does not acknowledge the deficiencies, file an acceptable plan of correction with the board, or complete an acceptable plan of correction, the board may file a complaint with the Administrative Hearing Commission.

*[(15)](14)* The board may conduct follow-up survey inspections.

*[(16)](15)* A massage therapy business shall not operate or advertise using a name other than the name under which the business license was issued.

*AUTHORITY:* sections 324.240, 324.247, 324.250, 324.252, 324.255, 324.257 and 324.260, RSMo [Supp. 1999] 2000 and 324.245, RSMo Supp. 2003. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will cost private entities an estimated increase of five thousand dollars (\$5,000) annually for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.



**PRIVATE ENTITY FISCAL NOTE****I. RULE NUMBER****Title 4 -Department of Economic Development****Division: 197 - Missouri Board of Therapeutic Massage****Chapter 5 - Massage Therapy Business Requirements****Proposed Rule - 4 CSR 197-5.020 Issuance of an Original Business License**

Prepared August 8, 2003 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
100	Business License Application Fee Increase \$50	\$5,000.00
	<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>	<b>\$5,000.00</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. In fiscal year 2003 the board issued 288 business licenses and completed a renewal cycle and the figure is less than annual estimate. It is important to note that more allied practitioners and professions are becoming familiar with the requirements. As a result, the board estimates the number of new applications will stabilize in the next year and as a result fewer new applications are anticipated than in FY 2003.
2. The total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**NOTE:** The board is statutorily obligated to enforce and administer the provisions of sections 324.240-324.275, RSMo. Pursuant to Section 324.245, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 324.240-324.275, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.240-324.275, RSMo. This proposed amendment is necessary because the board's projected revenue will not support the expenditures necessary to enforce and administer the provisions of sections 324.240-324.275, RSMo, which will result in an endangerment to the health, welfare, and safety of the public.



**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 5—Massage Therapy Business Requirements**

**PROPOSED AMENDMENT**

**4 CSR 197-5.030 Massage Therapy Business—Change of Name, Ownership or Location.** The board is proposing to amend section (1)–(3) and add section (6).

*PURPOSE: This proposed amendment clarifies requirements for changing the name of a massage therapy business and applying for a new license if the business is sold or management changes; clarifies settings that are considered exempted from massage therapy business licensure; and specifies how an expired license can be reinstated.*

*[(1) Change of a Massage Therapy Business Name.]*

*[(A)] (1) At least thirty (30) days prior to a proposed name change, [T]the massage therapy business owner shall notify the board of the proposed name change in writing prior to changing the business name or before revising any printing materials or advertisements.*

*[(B) A duplicate license fee shall be submitted to the board along with written notification of the change of name at least thirty (30) days prior to the proposed change.]*

*[(C)] (A) The license reflecting the name change shall replace the original license and be displayed in a conspicuous place on the premises of the licensed massage therapy business.*

*[(2) Change of a Massage Therapy Business Address.]*

*[(A)](2) The massage therapy business owner shall submit a new application, fee and a new license will be obtained for a new location. [The old license shall be voided.]*

*[(3) Change of Ownership.]*

*[(A)](3) When a massage therapy business is sold or ownership or management is transferred, or the corporate legal organization status is substantially changed, [the license of the massage therapy business shall be void and a new license obtained.] the massage therapy business owner shall apply for a license by submitting an application and paying the required application fee. The previous license shall be void.*

**(6) A massage therapist shall not practice massage therapy at a site, location, or place that is not licensed as a massage therapy business, except at the residence, or location provided by the client, health fair, sports event, trade show or healthcare facility. For the purpose of this rule a health care facility shall be defined pursuant to section 197.366, RSMo.**

*AUTHORITY: sections 324.240, 324.247, 324.250, 324.252, 324.255, 324.257, 324.260 and 324.262, RSMo [Supp. 1999] 2000 and 324.245, RSMo Supp. 2003. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities an estimated increase of five hundred seven dollars and forty cents (\$507.40) annually for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**PRIVATE ENTITY FISCAL NOTE****I. RULE NUMBER****Title 4 -Department of Economic Development****Division: 197 - Missouri Board of Therapeutic Massage****Chapter 5 - Massage Therapy Business Requirements****Proposed Rule - 4 CSR 197-5.030 Massage Therapy Business-Change of Name, Ownership or Location**

Prepared August 8, 2003 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
20	Postage for Name Change .37	\$7.40
5	Business Applicants (Application Fee - Change Location \$50 Increase)	\$250.00
5	Business Applicants (Business Application Fee -Change Ownership/Management \$50 Increase)	\$250.00
	<b>Estimated Annual Cost of Compliance for the Life of the Rule</b>	<b>\$507.40</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. The postage is for all applications received regarding change of location or ownership.
2. The board estimates it will receive a total of ten (10) applications due to a new location or a business and change of ownership.
3. The total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**NOTE:** The board is statutorily obligated to enforce and administer the provisions of sections 324.240-324.275, RSMo. Pursuant to Section 324.245, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 324.240-324.275, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.240-324.275, RSMo. This proposed amendment is necessary because the board's projected revenue will not support the expenditures necessary to enforce and administer the provisions of sections 324.240-324.275, RSMo, which will result in an endangerment to the health, welfare, and safety of the public.

**Title 4—DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 197—Board of Therapeutic Massage  
Chapter 5—Massage Therapy Business Requirements**

**PROPOSED AMENDMENT**

**4 CSR 197-5.040 Massage Therapy Business License Renewal.**  
The board is proposing to amend section (4) and add new sections (5) and (6).

*PURPOSE: This amendment specifies procedures for a massage therapist to reinstate an expired license.*

(4) *[Receipt of the application for renewal after the expiration date of the license shall cause the license to become not current and a business that continues to operate without a valid license shall be deemed to be operating in violation of sections 324.240 to 324.275, RSMo and subject to the penalties contained therein.]* The license of a massage therapy business that is not renewed by the expiration date shall lapse and become not current. A massage therapy business license that has lapsed may be renewed by completing the renewal form and paying the required renewal and late fees as defined in 4 CSR 197-1.040(3)(B)1. within thirty (30) days of the expiration date. A massage therapy business shall not offer massage therapy until filing the renewal form and paying the required fees.

(5) If a license is not renewed within thirty (30) days of the expiration date, the lapsed licensee shall submit an application, required fee, and submit to a reinspection before a license will be reinstated.

(6) A massage therapy business with a lapsed license, as provided in this rule, may be reinstated at the sole discretion of the board upon payment of the required fee and submitting the required application.

*AUTHORITY: sections 324.250, 324.255, 324.257, 324.260 and 324.262, RSMo [Supp. 1999] 2000 and 324.245, RSMo Supp. 2003. Original rule filed Feb. 25, 2000, effective Sept. 30, 2000. Amended: Filed Nov. 26, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will cost private entities an estimated increase of thirty-one thousand seven dollars and forty cents (\$31,007.40) biennially for the life of the rule. It is anticipated that the increase will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the secretary of state.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Therapeutic Massage, PO Box 1335, Jefferson City, MO 65102, by facsimile at (573) 751-0735 or via e-mail at [massther@mail.state.mo.us](mailto:massther@mail.state.mo.us). To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**PRIVATE ENTITY FISCAL NOTE****I. RULE NUMBER****Title 4 -Department of Economic Development****Division: 197 - Missouri Board of Therapeutic Massage****Chapter 5 - Massage Therapy Business Requirements****Proposed Rule - 4 CSR 197-5.040 Massage Therapy Business License Renewal**

Prepared August 1, 2003 by the Division of Professional Registration

**II. SUMMARY OF FISCAL IMPACT**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
600	Business Renewal Fee Increase of \$50	\$30,000.00
20	Business License Late Fee \$50	\$1,000.00
20	Postage for Mailing Late Fee \$.37	\$7.40
	<b>Estimated Biennial Cost of Compliance for the Life of the Rule</b>	<b>\$31,007.40</b>

**III. WORKSHEET**

See table above.

**IV. ASSUMPTION**

1. During the renewal cycle of 2003, there were 311 massage therapy business licenses renewed. Considering the 100 new applications per year and business licenses issued to date the board estimates it will renew 600 business licenses per year.
2. The board estimates it will receive 20 requests to reinstate the massage therapy business license per biennial renewal cycle.
3. The total annual cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**NOTE:** The board is statutorily obligated to enforce and administer the provisions of sections 324.240-324.275, RSMo. Pursuant to Section 324.245, RSMo, the board shall by rule and regulation set the amount of fees authorized by sections 324.240-324.275, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of sections 324.240-324.275, RSMo. This proposed amendment is necessary because the board's projected revenue will not support the expenditures necessary to enforce and administer the provisions of sections 324.240-324.275, RSMo, which will result in an endangerment to the health, welfare, and safety of the public.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 70—[Division of Liquor Control]**  
**Division of Alcohol and Tobacco Control**  
**Chapter 2—Rules and Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-2.120 Retail Licensees.** The director is deleting the current section (7) and replacing it with a new section (7) and deleting the forms that follow this rule in the *Code of State Regulations*.

*PURPOSE:* This amendment will clarify the language by providing specific information to control the noise levels in areas of licensed premises.

*[(7) The use by the licensee of any public speaking system transmitter, sound device or any other type of device, mechanical or electric to emit and direct music, spoken words, sounds or noise of any kind either from the inside or outside of the permitted premises to the sidewalks, streets or areas joining the licensed premises is prohibited.]*

**(7) No licensee shall operate, play, or permit the operation of any public speaking system transmitter, sound amplification device or any other type of device, mechanical or electronic, to emit or direct music, spoken words, sounds or noise of any kind exceeding eight-six decibels on an A-weighted scale when measured across a residential property line fifty feet (50') or more from the source of the noise between the hours of 11:00 p.m. and 11:00 a.m. This regulation does not supersede any state or local laws or ordinances regulating noise in the area.**

*AUTHORITY:* section 311.660, RSMo [1994] 2000. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Nov. 20, 2003.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Division of Alcohol and Tobacco Control, Truman State Office Building, Room 860 Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 11—DEPARTMENT OF PUBLIC SAFETY**  
**Division 70—[Division of Liquor Control]**  
**Division of Alcohol and Tobacco Control**  
**Chapter 2—Rules and Regulations**

**PROPOSED AMENDMENT**

**11 CSR 70-2.140 All Licensees.** The director is deleting section (11) and replacing it with a new section (11) and deleting the forms that follow this rule in the *Code of State Regulations*.

*PURPOSE:* This rule establishes additional rules for the conduct of business in both retail and wholesale establishments regarding inspection, record keeping, storage, employment, sales, gambling and consumption by minors.

*PUBLISHER'S NOTE:* The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

**(11) [No licensee shall employ on or about the licensed premises any person who has been convicted since the ratification of the twenty-first amendment of the Constitution of the United States of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor; nor shall any licensee employ on or about the licensed premises any person who shall have had a license revoked under Chapter 311 or 312, RSMo. No retail licensee shall employ on or about the licensed premises any felon or prostitute, except that licensees may employ persons convicted of a felony unrelated to the manufacture or sale of intoxicating liquor so long as any such felon does not directly participate in retail sales of intoxicating liquor or nonintoxicating beer, by accepting payment, taking orders, delivering, mixing or assisting in mixing or serving intoxicating liquor or nonintoxicating beer in the capacity of, but not limited to, bar manager, bartender, waiter, waitress, cashier and sales clerk. Each retail licensee shall report the identity of any employee with a felony conviction to the supervisor of liquor control within ten (10) days of his/her employment and each retail licensee shall notify the supervisor of liquor control within ten (10) days of the employee leaving the licensee's employment, using forms provided by the division for that purpose.] No licensee shall employ on or about the licensed premises any person who has been convicted since the ratification of the twenty-first amendment of the Constitution of the United States of a violation of the provisions of any law applicable to the manufacture or sale of intoxicating liquor; nor shall any licensee employ on or about the licensed premises any person who shall have had a license revoked under Chapter 311 or 312, RSMo.**

**(A) No retail licensee shall employ a prohibited felon to any position that involves the direct participation in retail sales of intoxicating liquor or non-intoxicating beer. The phrase "direct participation in retail sales" includes the duties of accepting payment, taking orders, delivering, mixing or assisting in the mixing or serving of intoxicating liquor or non-intoxicating beer in the capacity of, but not limited to, bar manager, bartender, waiter, waitress, cashier, and sales clerk.**

**(B) A "prohibited felon" is one who has been convicted of a crime under the laws of any state or the United States, where the possible penalty at the time of the offense exceeded one (1) year confinement and the crime involves homicide, assault involving a threat of death or serious physical injury or actual physical injury, assault upon a law enforcement officer, kidnapping or false imprisonment, any action that would constitute a sexual offense under Chapter 566, RSMo, prostitution, pornography, robbery, arson, stealing, burglary, forgery, counterfeiting, identity theft or false identification, bribery, unlawful use of a weapon, gambling, driving or boating while intoxicated, perjury, fake reports or declarations, the possession, purchase, sale or manufacture of drugs, tax fraud, mail fraud, food stamp fraud, or welfare fraud.**

**(C) Each retail licensee shall report the identity of any employee with a felony conviction to the supervisor of alcohol and tobacco control within ten (10) days of his/her employment and each retail licensee shall notify the supervisor of alcohol and tobacco control within ten (10) days of the employee leaving the licensee's**



employment, using forms provided by the division for that purpose.

(D) If the employee is hired in a position that involves the direct participation in retail sales and is a prohibited felon, the division shall notify the licensee that the employee may not serve in the position involving the direct participation in retail sales upon receipt of notice from the licensee. The licensee will either dismiss the employee or reassign the employee to a position not involving the direct participation in retail sales within ten (10) days of the date notice is received by licensee from the division by regular mail service.

(E) If the division determines that an employee involved in the direct participation of retail sales has a felony conviction not listed in subsection (11)(B), above, but believes that the felon's conviction should disqualify the employee from the direct participation in retail sales, the division will notify the licensee within ten (10) days. The licensee will either dismiss the employee, reassign the employee to a position not directly involving the retail sale of intoxicating liquor or non-intoxicating beer, or file a written appeal with the division within ten (10) days of receiving notice from the division by regular mail service.

(F) If a licensee, or an employee of the licensee acting through the licensee, wishes to appeal a determination by the division that the employee is disqualified from the direct participation in the retail sale of intoxicating liquor or non-intoxicating beer as set forth in subsection (11)(E), above, the appeal will be heard by the supervisor or his/her designee within thirty (30) days of the division receiving written notice of appeal. At the appeal, the division will determine whether the employee's conviction is reasonably related to the competency of the employee to be involved in the direct participation in retail sales. A written determination will be sent to the licensee and employee, if an address is supplied by the employee, within ten (10) days of the appeal.

*AUTHORITY: section 311.660, RSMo [1994] 2000. This version of rule filed Feb. 8, 1973, effective Feb. 18, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Nov. 20, 2003.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Public Safety, Division of Alcohol and Tobacco Control, Truman State Office Building, Room 860, Jefferson City, MO 65101. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 80—Missouri State Water Patrol  
Chapter 9—Mandatory Boater Safety Education  
Program**

**PROPOSED RULE**

**11 CSR 80-9.010 Mandatory Boater Safety Education Program**

*PURPOSE: This rule defines the responsibilities and procedures regarding mandatory boater safety education pursuant to section 306.127, RSMo for vessel operators on the waterways of the state of Missouri to ensure and promote public safety and welfare.*

(1) The minimum standards for certified boater education shall be the standards established by the National Association of State Boating Law Administrators (NASBLA).

(2) Beginning January 1, 2005, any person convicted of an offense pursuant to section 306.110, 306.111, 306.112, 306.127, 306.132 or 306.141, RSMo must complete and pass a certified boater education course even if such person completed a certified boater safety education course prior to January 1, 2005.

(3) Any person convicted of an offense pursuant to section 306.110, 306.111, 306.112, 306.127, 306.132 or 306.141, RSMo shall not operate a vessel until he or she possesses a certification card issued by the Missouri State Water Patrol.

(4) It shall be the responsibility of the person to whom a boater education certification card is issued to notify the Missouri State Water Patrol of name and address changes. Upon notification, the Missouri State Water Patrol shall issue a replacement certification card for a fee that does not substantially exceed the administrative and production costs of the certification cards.

(5) Every boat operator required to carry a boating safety education certification card pursuant to section 306.127 or 306.128, RSMo shall also have in his or her possession some form of valid state or school issued identification with a photograph of the certification card holder.

(6) Beginning January 1, 2005, no person shall rent, lease or loan a vessel to any person born after January 1, 1984, unless such person has taken a certified boater education course and is in possession of the certification card and valid identification with a photograph.

(7) As used in section 306.127, RSMo, subsection 4, paragraph 8, the term "previously" means prior to January 1, 2005, but does not exempt the boat operator from the requirement to carry the certification card.

(8) Every nonresident boat operator pursuant to section 306.127 or 306.128, RSMo shall possess a boating safety certification card from their home state, United States Coast Guard Auxiliary, U.S. Power Squadron, or the Missouri State Water Patrol.

(9) Every resident boat operator pursuant to section 306.127 or 306.128, RSMo shall possess a certification card issued by the Missouri State Water Patrol.

*AUTHORITY: section 306.129, RSMo Supp. 2003. Original rule filed Nov. 26, 2003.*

*PUBLIC COST: This proposed rule will cost state agencies or political subdivisions two hundred thirty-two thousand forty-two dollars (\$232,042) the first year, one hundred fifty-six thousand nine hundred fifty-three dollars (\$156,953) the second year, and one hundred fifty-nine thousand five hundred twenty-six dollars (\$159,526) annually thereafter.*

*PRIVATE COST: This proposed rule will cost private entities fifteen dollars (\$15) for one (1) boater safety education certification card and ten dollars (\$10) for one (1) replacement boater safety education certification card. It is not known how many persons will request a boater safety education certification card nor is it known how many persons would request a replacement boater safety education certification card. Assuming thirty thousand (30,000) persons will take the course the first year, twenty thousand (20,000) persons will take the course the second year, and fifteen thousand (15,000) persons will take the course the third and subsequent years, the approximate aggregate cost would be four hundred fifty thousand dollars (\$450,000) the first year, three hundred thousand dollars*



*the second year, and two hundred twenty-five thousand dollars (\$225,000) for the third and subsequent years.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with Colonel Jerry E. Adams, Commissioner, Missouri State Water Patrol, PO Box 1368, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE  
PUBLIC COST

## I. RULE NUMBER

Rule Number and Name:	11 CSR 80-9.010 Mandatory Boater Safety Education Program
Type of Rulemaking:	Proposed Rule

## II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated cost of compliance in the aggregate:
Office of Secretary of State	\$369.00**
Missouri State Water Patrol	\$232,042 the first year, \$156,953 the second year, and \$159,526 annually thereafter

## III. WORKSHEET

See below.

## IV. ASSUMPTIONS

Officials from the **Office of Secretary of State (SOS)** assume there would be costs due to additional publishing duties related to the Missouri State Water Patrol's authority to promulgate rules, regulations, and forms. SOS estimates the division could require approximately 6 new pages of regulations in the Code of State Regulations at a cost of \$27.00 per page, and 9 new pages in the Missouri Register at a cost of \$23.00 per page. Costs due to this proposal is estimated to be \$369, however, the actual fiscal impact would be dependent upon the actual rule-making authority and may be more or less. Financial impact in subsequent fiscal years would depend entirely on the number, length, and frequency of the rules filed, amended, rescinded, or withdrawn. SOS does not anticipate the need for additional staff as a result of this proposal, however, the enactment of more than one similar proposal may, in the aggregate, necessitate additional staff.\*\*

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.\*\*

\*\* The above figure and information was taken from the Committee on Legislative Research Oversight Division Fiscal Summary to the Fiscal Note for Senate Bill 1 from the 2003 legislative session.

Officials from the **Department of Public Safety - Missouri State Water Patrol (MSWP)** assume that the number of watercraft registrations for a

year does not reflect the age group that is targeted in this legislation. The revenue for permanent boating safety identification card that would be received for the successful completion of the Boating Safety course would not be realized until after the Mandatory Boating Education Program was established.

The MSWP estimates that the number of students to complete and pass the course and request a permit in the 1<sup>st</sup> year would be around 30,000. The 2<sup>nd</sup> year is estimated at 20,000 and the 3<sup>rd</sup> year and each year thereafter to be around 15,000. The MSWP estimates that even though this substitute adds an effective date of January 1, 2005, there will still be roughly 30,000 permits issued in the first fiscal year since the MSWP may issue the cards prior to January 1, 2005 and also since the second six months of FY 2005 (January through June) would be considered the pre-boating season where youths will be getting ready for the boating season. The MSWP estimates a charge of \$15 for the permanent boating safety identification card to cover the costs of the program and the i.d. cards and a charge of \$10 for a replacement card.

The MSWP assumes the need for one Water Patrol Sergeant FTE (at \$45,156 annually) to administer the mandatory education program beginning in FY 2005. The MSWP also assumes the need for additional E&E based on specific equipment and supplies needed to administer the program and to replace an officer in the field that would be moved to GHQ. The MSWP assumes the need for the additional FTE for the entire FY 2005 even though youths are not required to have the boating safety identification cards until January 1, 2005. The MSWP assumes the FTE will be needed to set up and establish the program in the first part of FY 2005 as well as perhaps offer the tests and cards prior to the required date of having the boating safety identification cards. The cost to produce, mail and print the education materials for the Mandatory Boating Education Program is estimated to be \$4 per card. This does not cover the cost to administer the program.

**Oversight** assumes MSWP may charge a fee for the card that does not substantially exceed the costs of administrating this section. According to the Department of Revenue (DOR) 2000 Comprehensive Annual Financial Report, the Department of Revenue processed 119,405 watercraft registrations in 2002, 113,504 in 1999 and 116,500 in 1998. This was based on a 3-year renewal, so the assumption is made that there are actually 349,409 marine vessels currently registered in Missouri. In a fiscal note for similar legislation in a previous year, Oversight utilized the number of boat registrations to estimate the number of persons that would be issued the identification card each year. This year, however, Oversight has received the estimate by MSWP regarding the number of possible applicants (30,000 initially, 20,000 in the second year and 15,000 each year thereafter), and have utilized these estimates.

Since the application is a one-time occurrence with no renewal, **Oversight** assumes the volume of cards issued will decrease in subsequent years.

Missouri State Water Patrol will utilize the estimate of \$15.00 to be charged to each licensee for the cost to administer the program.

This proposal will increase Total State Revenues.

FISCAL IMPACT - State Government	FY 2005	FY 2006	FY 2007
<b>GENERAL REVENUE FUND</b>			
Estimated Number of Students Taking Class	30,000	20,000	15,000
Income - Missouri Water Patrol (MSWP)			
I.D. Fees	\$450,000	\$300,000	\$225,000
Costs - Missouri Water Patrol (MSWP)			
Personal Service (1 FTE)	(\$47,442)	(\$48,628)	(\$49,844)
Fringe Benefits	(\$19,200)	(\$19,680)	(\$20,172)
Expense and Equipment	(\$45,400)	(\$8,645)	(\$9,510)
I.D. Production & class materials	(\$120,000)	(\$80,000)	(\$80,000)
Total Costs - MSWP	(\$232,042)	(\$156,953)	(\$159,526)
<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
	\$217,958	\$143,047	\$65,474

NOTE: After the introductory year, the number of students should level out in approximately the third year (FY-07) and we estimate approximately 15,000 students per year.

FISCAL IMPACT - Local Government	FY 2005	FY 2006	FY 2007
	\$0	\$0	\$0

#### FISCAL IMPACT - Small Business

Marinas that rent out boats and personal watercraft covered under this legislation will have to verify boating safety identification cards before rental of boats.

FISCAL NOTE  
PRIVATE COST

V. RULE NUMBER

Rule Number and Name: 11 CSR 80 9.010 Mandatory Boater Safety Education Program
Type of Rulemaking: Proposed Rule

VI. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
30,000 Vessel Operators the first year, 20,000 Vessel Operators the second year, and 15,000 Vessel Operators annually thereafter	n/a	\$450,000 during the first year, \$300,000 during the second year, and \$225,000 annually thereafter

VII. WORKSHEET

See below.

VIII. ASSUMPTIONS

This proposed rule will cost private entities fifteen dollars (\$15.00) for one (1) boater safety education certification card and ten dollars (\$10.00) for a replacement boater safety education certification card. It is not known how many persons will request a boater safety education certification card nor is it known how many persons would request a replacement boater safety education certification card; however, it is assumed that approximately 30,000 persons would take the course the first year, 20,000 persons would take the course the second year, and 15,000 persons would take the course annually thereafter. Therefore, we believe the approximate cost to individuals the first year would be \$450,000; the approximate cost the second year would be \$300,000; and the approximate cost would be approximately \$225,000 for each year thereafter.

**T**his section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

**T**he agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 10—Adjutant General  
Chapter 5—Missouri Veterans' Recognition Program**

**ORDER OF RULEMAKING**

By the authority vested in the Adjutant General under sections 41.160 and 173.239, RSMo Supp. 2000, the director amends a rule as follows:

**11 CSR 10-5.010 Missouri Veterans' Recognition Program is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1508-1510). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received during the comment period.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 13—Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission amends a rule as follows:

**11 CSR 45-13.010 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1377). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission (commission) received written comments from Thad C. McCanse, a contract hearing officer for the commission. A public hearing on this proposed amendment was held on September 3, 2003, and the public comment period ended September 1, 2003. At the public hearing no comments were received.

COMMENT: Mr. McCanse recommended that additional language should be added to this section allowing the commission to extend time limits for good cause.

RESPONSE AND EXPLANATION OF CHANGE: The commission currently allows requests for a hearing to be made beyond the thirty (30)-day time limit for good cause, so the language Mr. McCanse recommends is consistent with current practice. The commission has revised this section to include the recommended language.

**11 CSR 45-13.010 All Types of Hearings**

(1) The rules contained in this chapter shall govern all hearings of the commission. In all hearings before the commission, the applicant or licensee shall be the petitioner. For good cause, the commission may extend the time limits set forth in this chapter.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 13—Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission amends a rule as follows:

**11 CSR 45-13.020 Hearing Officer is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1377). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission (commission) received written comments from Thad C. McCanse, a contract hearing officer for the commission. A public hearing on this proposed amendment was held on September 3, 2003, and the public comment period ended September 1, 2003. At the public hearing no comments were received.

COMMENT: Mr. McCanse recommended that a contract hearing officer preside with the commissioners at hearings at which the commissioners vote to hear live testimony themselves, since some commissioners are not attorneys.

RESPONSE: If the commissioners designate one or more gaming commissioners to conduct hearings on a particular matter, the commissioners would be able to obtain advice on legal matters from the



commission legal staff. No wording changes have been made to the proposed amendment as a result of this comment.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 13—Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission amends a rule as follows:

**11 CSR 45-13.030 Requests for Hearings is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1377-1378). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment, becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 13—Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission adopts a rule as follows:

**11 CSR 45-13.045 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1378). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission (commission) received written comments from Thad C. McCanse, a contract hearing officer for the commission. A public hearing on this proposed rule was held on September 3, 2003, and the public comment period ended September 1, 2003. At the public hearing no comments were received.

COMMENT: Mr. McCanse recommended that additional language be added to this section to clarify the method and time for filing a request for hearing.

RESPONSE AND EXPLANATION OF CHANGE: The commission has revised this section to include the recommended language.

**11 CSR 45-13.045 Suitability and Exclusion Hearings for Gaming Applicants and Licensees**

(3) Whenever the commission finds an applicant unsuitable for licensing, the commission shall send a written letter to the applicant outlining the reasons for the finding, including both the applicable criteria for suitability that the applicant has established and those criteria that the applicant has failed to establish. This letter shall be sent certified mail, return receipt requested or by personal delivery. Within thirty (30) days from the date of mailing, the licensee shall file a request for hearing by serving it on the director as provided in 11 CSR 45-13.030(2). If a request for hearing is not filed within the

time provided for, the letter shall become a final order of the commission.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 13—Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission amends a rule as follows:

**11 CSR 45-13.050 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1378-1379). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission (commission) received written comments from Thad C. McCanse, a contract hearing officer for the commission. A public hearing on this proposed amendment was held on September 3, 2003, and the public comment period ended September 1, 2003. At the public hearing no comments were received.

COMMENT: Mr. McCanse recommended that additional language be added to this section to clarify the method and time for filing a request for hearing and that section (5) be renumbered.

RESPONSE AND EXPLANATION OF CHANGE: The commission has revised this section to include the recommended language.

**11 CSR 45-13.050 Disciplinary Action Against Gaming Licensees**

(3) Within thirty (30) days from the date of mailing of the proposed order, the licensee shall file his/her/its request for hearing by serving it on the director as provided in 11 CSR 45-13.030(2). If a request for hearing is not filed within the time provided for, the proposed order shall become a final order of the commission.

(4) The commission may authorize the director to investigate and to issue a proposed order for disciplinary action with regard to any applicant for or holder of a license of the type that may be issued by the director pursuant to 11 CSR 45-4.260(1).

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 13—Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission adopts a rule as follows:

**11 CSR 45-13.051 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1379). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission (commission) staff commented on this rule in response to an opinion

from a commissioner on the Missouri Administrative Hearing Commission (AHC). A public hearing on this proposed rule was held on September 3, 2003, and the public comment period ended September 1, 2003. At the public hearing no comments were received.

COMMENT: The AHC has recently provided an opinion to the commission that the commission's existing procedures relating to waiver of hearings and settlement of cases at the AHC should be modified.

RESPONSE AND EXPLANATION OF CHANGE: The commission has revised this section to satisfy the request of the AHC that a complaint and answer must be filed in all contested cases prior to a waiver of hearing and settlement agreement.

#### 11 CSR 45-13.051 Bingo Hearings

(5) Any licensee who receives a notice of commission action may request a hearing on the proposed action before the Missouri Administrative Hearing Commission (AHC) as set forth in Chapter 621, RSMo.

### Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 13—Hearings

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-13.060 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1379-1380). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission (commission) received written comments from Thad C. McCanse and Honorable McCormick V. Wilson, contract hearing officers for the commission. A public hearing on this proposed amendment was held on September 3, 2003, and the public comment period ended September 1, 2003. At the public hearing no comments were received.

COMMENT: Judge Wilson suggested that the commission be required to make an opening statement during the hearings, to narrow the issues and eliminate the possibility that a petitioner be required to disprove all possible reasons for denial of a license or discipline, such as a plea to or conviction of a crime.

RESPONSE AND EXPLANATION OF CHANGE: The commission has revised section (4) of the rule to require that the commission provide an opening statement during hearings.

COMMENT: Mr. McCanse commented that in section (8), which provides for a default judgment, if the commission were to order a hearing evidence should be limited to the nature of the penalty imposed.

RESPONSE: The commission is of the opinion that the provision giving the commissioners discretion to order a hearing should not be limited to the penalty, but instead could examine evidence on the allegations of violation, as well. No changes to the rule have been made as a result of this comment.

#### 11 CSR 45-13.060 Proceedings

(4) Petitioner may present an opening statement, and the commission shall present an opening statement on the merits. Petitioner proceeds first to present evidence, except in the case of disciplinary actions against gaming licensees, in which case the commission shall present evidence first. The hearing officer shall then hear evidence from the other party and any evidence in rebuttal.

### Title 11—DEPARTMENT OF PUBLIC SAFETY Division 45—Missouri Gaming Commission Chapter 13—Hearings

#### ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission amends a rule as follows:

11 CSR 45-13.070 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1380-1381). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Gaming Commission (commission) received written comments from Thad C. McCanse and Honorable McCormick V. Wilson, contract hearing officers for the commission. A public hearing on this proposed amendment was held on September 3, 2003, and the public comment period ended September 1, 2003. At the public hearing no comments were received.

COMMENT: During a public commission meeting one of the commissioners commented on subsection (4)(A) that parties should have the right to oral argument before the commission prior to final action on hearing officer recommendations. Another commissioner commented during that meeting that the procedure proposed for oral argument would create administrative difficulties for the commission in deciding who would be allowed to present oral argument and notifying the parties.

RESPONSE AND EXPLANATION OF CHANGE: As a result of these comments, the language in subsection (4)(A) has been modified to permit oral arguments by the parties.

COMMENT: Judge Wilson commented on section (3) that providing the parties the right to file written objections or comments to the hearing officer's proposed recommendations would result in the parties briefing and re-arguing all of their legal positions to the commissioners that were already in the record in arguments to the hearing officer. The commissioners, who are not necessarily attorneys, may not wish to or be able to deal with these complex legal issues.

RESPONSE: The commission finds that the benefit to the commissioners in receiving comments and objections from the parties to the hearing officer recommendations outweighs the burden of reviewing additional legal pleadings. No changes to the rule have been made as a result of this comment.

COMMENT: Mr. McCanse commented on subsection (4)(A) that if the commission was concerned with the length of oral arguments, language should be inserted giving the commission discretion to limit them. He also commented that in paragraph (4)(A)3. the word "dis-solve" should be replaced by the word "reject."

RESPONSE AND EXPLANATION OF CHANGE: As a result of these comments, the language in section (4) has been modified.

#### 11 CSR 45-13.070 Transmittal of Record and Recommendation to the Commission

(4) Final Commission Order.

(A) The commission shall review the entire record and shall render a written decision on the merits which shall contain findings of fact and conclusions of law, and after that will issue a final Commission Order. During the public meeting at which the commission considers proposed findings of fact, conclusions of law and recommendations issued by a hearing officer, the parties may present oral argument to the commission within the time limits that the commission may impose. The commission may take any of the following actions:

1. The commission may adopt the findings of fact, conclusions of law and recommendations of the hearing officer as its final Commission Order;

2. The commission may modify the findings of fact, conclusions of law and recommendations submitted by the hearing officer;

3. The commission may reject the findings of fact, conclusions of law and recommendations submitted by the hearing officer; or

4. The commission may remand the matter, with instructions, to the hearing officer for further proceedings.

**Title 11—DEPARTMENT OF PUBLIC SAFETY  
Division 45—Missouri Gaming Commission  
Chapter 13—Hearings**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Gaming Commission under section 313.805, RSMo 2000, the commission adopts a rule as follows:

11 CSR 45-13.080 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on August 1, 2003 (28 MoReg 1381). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri Gaming Commission (commission) received written comments from Thad C. McCanse, contract hearing officer for the commission. A public hearing on this proposed rule was held on September 3, 2003, and the public comment period ended September 1, 2003. At the public hearing no comments were received.

**COMMENT:** Mr. McCanse commented on section (1) that a reference should be made to section (3).

**RESPONSE AND EXPLANATION OF CHANGE:** As a result of this comment, the language in section (1) has been modified.

**11 CSR 45-13.080 Prohibition on Ex Parte Communications**

(1) A party or its representative shall not communicate directly or indirectly with the hearing officer regarding any pending matter, except upon notice and opportunity for all parties to participate or as provided in section (3).

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 70—Division of Medical Services  
Chapter 4—Conditions of Recipient Participation, Rights  
and Responsibilities**

**ORDER OF RULEMAKING**

By the authority vested in the director of the Division of Medical Services under section 208.201, RSMo 2000, the director amends a rule as follows:

**13 CSR 70-4.070 Title XIX Recipient Lock-In Program is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 2, 2003 (28 MoReg 1511). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Division of Medical Services (DMS) received one (1) written comment about the proposed amendment from a MC+ managed care health plan.

**COMMENT:** A clarification to the Purpose Statement was requested regarding who is responsible for the management of the recipient while in lock-in. Concern was expressed that the state has not reviewed the current applicability of the lock-in process as it relates to referrals to MC+ managed care health plans. Referral information from the state is insufficient while the MC+ managed care health plan's utilization history does not demonstrate a pattern of abuse. Also, retrieval of medical records may be time consuming and limited due to HIPAA privacy implementation. The MC+ managed care health plan contract requires case management and outreach documentation prior to pharmacy lock-in. The state should manage recipients who reach the division's thresholds, and not the MC+ managed care health plan.

**RESPONSE:** The proposed regulatory change applies to the Missouri Medicaid program. The Missouri Medicaid program has contracted with Managed Care Organizations (MCOs) for administration and delivery of services to certain Medicaid recipients in particular geographic areas of the state. The relationship of the Missouri Medicaid program and the MCO is governed through a contract between the two entities. The contract includes numerous provisions including the responsibility that the MCO conduct fraud and abuse detection activities as outlined in Section 2.31 of their contract. The MCO is responsible for members enrolled in their plan, including case management, outreach and pharmacy lock-in restrictions according to the MCO's policies and procedures as approved by the state. No changes have been made to the rule as a result of this comment.

**COMMENT:** The MC+ managed care health plan believes it is beneficial that the state is supporting the management of difficult members, but they have concerns that this process will not accomplish the goal. If thresholds under state agency policy are reached within a fee-for-service period and the recipient subsequently enrolls in a MC+ managed care health plan, member history of such concerns do not flow to the plans with member eligibility and enrollment. It is expected that the plans provide documentation of abuse and serial documentation of unsuccessful attempts within specific time intervals to gain member compliance through case management and outreach before a pharmacy lock-in request can be submitted to DMS. Non-compliant members in smaller communities may create physician access problems if the treating physician will no longer provide services.

**RESPONSE:** The contract does not require that the MCO must obtain state approval prior to locking in an enrolled managed care member into a pharmacy for misutilization of services. The contract requires that the MCO have its pharmacy lock-in policies and procedures approved prior to implementing a pharmacy lock-in program (Section 2.31.6 of the MCO contract). It appears that the commenter confused the requirements for requesting an enrolled managed care member be disenrolled from their MCO with the provisions regarding pharmacy lock-in. Prior to requesting an enrolled managed care member be disenrolled, the MCO must provide documentation of sequential level of case management and outreach documentation. This is not the case for an MCO to lock-in an enrolled managed care

member into a pharmacy for misutilization of services. The occurrence of fee-for-service non-compliant members in smaller communities, who are locked-in to physicians, has not created access problems. No changes have been made to the rule as a result of this comment.

COMMENT: The proposed amendment, if finalized, will cost much more than five hundred dollars (\$500) in the aggregate for the private sector over the life of the amendment. The amended rule will require development of system indicators or manual processes to detect suspect utilization, retrieval of medical records from one to several providers to determine medical condition, treatment plan and appropriateness of care/utilization. These are very time consuming and costly processes per case.

RESPONSE: The proposed amendment will not cost more than five hundred dollars (\$500) in the aggregate for the Missouri Medicaid program to implement. The proposed amendment will complement existing policies and procedures for pharmacy lock-in and will not require additional costs to implement. It appears the commenter is questioning the costs of the entire pharmacy lock-in regulation and not just the proposed amendment. In addition, it appears that the reference to costs to the "private sector" is regarding the contractual obligation of the MCO regarding fraud and abuse fraud and detection activities of which one component is pharmacy lock-in. No changes have been made to the rule as a result of this comment.

COMMENT: The commenter suggested alternatives to the proposed rule.

RESPONSE: The commenter suggested alternatives to the proposed rule that appear more to be alternatives to contractual requirements between the MCO and the Missouri Medicaid agency. No changes have been made to the rule as a result of this comment.



**T**his section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

greater period should be observed. Preservation on microfilm microfiche or by means of electronic storage is acceptable.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 100—Division of Credit Unions**

#### **ACTIONS TAKEN ON APPLICATIONS FOR NEW GROUPS OR GEOGRAPHIC AREAS**

Pursuant to section 370.081(4), RSMo 2000, the director of the Missouri Division of Credit Unions is required to cause notice to be published that the director has either granted or rejected applications from the following credit unions to add new groups or geographic areas to their membership and state the reasons for taking these actions.

The following applications have been granted. These credit unions have met the criteria applied to determine if additional groups may be included in the membership of an existing credit union and have the immediate ability to serve the proposed new groups or geographic areas. The proposed new groups or geographic areas meet the requirements established pursuant to section 370.080(2), RSMo 2000.

<b>Credit Union</b>	<b>Proposed New Group or Geographic Area</b>
Edison Credit Union 4200 E. Front Street Kansas City, MO 64120	Active or retired employees of: Townsend Communications, LLC., United Country Real Estate, Occu-Tec, Inc., O'Dell Service, North Kansas City Electric, TimberKing, Inc., Data Source, Inc., Custom Lighting Services Immediate family members and household of members.

## **Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT**

### **Division 140—Division of Finance Chapter 2—Banks and Trust Companies**

#### **IN ADDITION**

A proposed amendment to 4 CSR 140-2.140 was filed on January 16, 2003 and published in the *Missouri Register* on February 18, 2003 (28 MoReg 320). Section (1) was submitted with changes about Appendix A and electronic storage of books and records. To correct a typographical error, this section is reprinted below as it should have appeared in the July 31, 2003 update to the *Code of State Regulations* and as it will appear in the January 31, 2004 update to the *Code of State Regulations*.

#### **4 CSR 140-2.140 Preservation of Books and Records**

(1) The following Appendix A, included herein, lists the minimum times for preservation of books and records by state-chartered banks and trust companies. Where other law requires a longer retention, the

3-00157-ILM 4310-GJ U

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ES-030-1430-BJ] ES-052005, Group 27, Missouri

## NOTICE OF FILING OF PLAT OF SURVEY; MISSOURI

The Bureau of Land Management (BLM) will officially file the plat of the remonumentation of a portion of the subdivisional lines and the monumentation of a portion of the subdivision of sections 3 and 4, which define a portion of the Wappapello Lake acquisition boundary in Township 28 North, Range 5 East, Fifth Principal Meridian, Missouri, accepted on October 30, 2003, in the Eastern States Office, Springfield, Virginia, 30 calendar days from the date of publication in the FEDERAL REGISTER.

The survey was requested by the U.S. Army Corps of Engineers.

All inquiries or protests concerning the technical aspects of the survey must be submitted in writing to the Chief Cadastral Surveyor, Eastern States, Bureau of Land Management, 7450 Boston Boulevard, Springfield, Virginia 22153, prior to the date of the official filing.

We will place a copy of the plat we described in the open files. Copies of the plat will be made available upon request and prepayment of the appropriate fee.



Stephen D. Douglas  
Chief Cadastral Surveyor

Date: 11/03/03



**T**he Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

## **NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST CERTIFIED MASTER BUILDER CORPORATION**

On October 31, 2003, Certified Master Builder Corporation filed its Articles of Dissolution with the Missouri Secretary of State. The Dissolution was effective on October 31, 2003.

All persons having claims against that corporation should present their claims in writing and mail them to Certified Master Builder Corporation, c/o Robert R. Bartunek, Seigfreid, Bingham, Levy, Selzer and Gee, Suite 2800, 911 Main Street, Kansas City, Missouri 64105. The claims should include the name and address of the claimant, the amount claimed, a brief description of the basis for the claim, and the date or dates on which the basis for the claim occurred.

All claims against that corporation will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of the notices authorized by statute.

---

## **NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF/CLAIMANTS AGAINST 505 TRADING COMPANY, L.L.C.**

On November 19, 2003, 505 TRADING COMPANY, L.L.C., a Missouri limited liability company, filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State effective November 19, 2003.

Any claims against 505 may be sent to: 505 Trading Company, L.L.C., c/o The Maneke Law Group, L.C., 4435 Main, Ste. 620, Kansas City, MO 64111. Each claim must include the name, address and phone number of the claimant; amount claimed; date on which the claim arose, basis for the claim and claim documentation.

All claims against 505 will be barred unless the claim enforcement proceeding is commenced within three (3) years after publication of this notice.

NOTICE OF CORPORATE DISSOLUTION  
TO ALL CREDITORS OF AND  
CLAIMS AGAINST  
PARCHMENT, INC.

On November 10, 2003, Parchment, Inc., filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on that date.

You are hereby notified that if you believe you have a claim against Parchment, Inc., you must submit a summary in writing of the circumstances surrounding your claim to the corporation at 905 Oak Bend Lane, Imperial, Missouri 63052, Attn: Kathleen Ames.

The summary of your claim must include the following information: (1) the name, address and telephone number of the claimant, (2) the amount of the claim, (3) the date on which the event on which the claim is based occurred, (4) a brief description of the nature of the debt or the basis of the claim.

All claims against Parchment, Inc., not otherwise barred, will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of this notice.

# Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—26 (2001), 27 (2002) and 28 (2003). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724 28 MoReg 1861
1 CSR 10-4.010	Commissioner of Administration		28 MoReg 1557		
1 CSR 10-18.010	Commissioner of Administration	28 MoReg 1615	28 MoReg 1482		
1 CSR 20-2.015	Personnel Advisory Board and Division of Personnel		28 MoReg 1560		
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel		28 MoReg 1560		
1 CSR 20-5.020	Personnel Advisory Board and Division of Personnel		28 MoReg 1561		
1 CSR 35-1.050	Division of Facilities Management	28 MoReg 1983	28 MoReg 1990		
1 CSR 35-2.030	Division of Facilities Management	28 MoReg 1984	28 MoReg 1993		
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 10-2.010	Market Development		28 MoReg 2087		
2 CSR 30-2.040	Animal Health		28 MoReg 711		
2 CSR 30-9.020	Animal Health		28 MoReg 1085	28 MoReg 1938	
2 CSR 30-9.030	Animal Health		28 MoReg 1086	28 MoReg 2046W	
2 CSR 70-13.030	Plant Industries	28 MoReg 1553	28 MoReg 1561		
2 CSR 90-11.010	Weights and Measures	28 MoReg 2207	28 MoReg 2211		
2 CSR 90-30.050	Weights and Measures		28 MoReg 2211		
2 CSR 100-6.010	Missouri Agriculture and Small Business Development Authority		28 MoReg 1762		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-1.010	Conservation Commission		28 MoReg 1483	28 MoReg 2046	
3 CSR 10-4.110	Conservation Commission		28 MoReg 1995		
3 CSR 10-5.205	Conservation Commission		28 MoReg 1995		
3 CSR 10-5.215	Conservation Commission		28 MoReg 1995		
3 CSR 10-5.310	Conservation Commission		28 MoReg 1996		
3 CSR 10-5.320	Conservation Commission		28 MoReg 1996		
3 CSR 10-5.330	Conservation Commission		28 MoReg 1996		
3 CSR 10-5.340	Conservation Commission		28 MoReg 1997		
3 CSR 10-5.345	Conservation Commission		28 MoReg 1999		
3 CSR 10-5.365	Conservation Commission		28 MoReg 2001		
3 CSR 10-5.375	Conservation Commission		28 MoReg 2003		
3 CSR 10-5.420	Conservation Commission		28 MoReg 2005		
3 CSR 10-5.440	Conservation Commission		28 MoReg 2007		
3 CSR 10-5.445	Conservation Commission		28 MoReg 2009		
3 CSR 10-5.470	Conservation Commission		28 MoReg 2011R		
3 CSR 10-5.570	Conservation Commission		28 MoReg 2011		
3 CSR 10-6.415	Conservation Commission		28 MoReg 2011		
3 CSR 10-6.505	Conservation Commission		28 MoReg 2011		
3 CSR 10-6.510	Conservation Commission		28 MoReg 2012		
3 CSR 10-6.525	Conservation Commission		28 MoReg 2012		
3 CSR 10-6.530	Conservation Commission		28 MoReg 2013		
3 CSR 10-7.405	Conservation Commission		28 MoReg 2013		
3 CSR 10-7.410	Conservation Commission		28 MoReg 2013		
3 CSR 10-7.425	Conservation Commission		28 MoReg 2014		
3 CSR 10-7.450	Conservation Commission		28 MoReg 2014		
3 CSR 10-7.455	Conservation Commission		28 MoReg 2089		
3 CSR 10-8.505	Conservation Commission		28 MoReg 2089		
3 CSR 10-8.510	Conservation Commission		28 MoReg 2015		
3 CSR 10-8.515	Conservation Commission		28 MoReg 2015		
3 CSR 10-9.110	Conservation Commission		28 MoReg 2017		
3 CSR 10-9.220	Conservation Commission		28 MoReg 2212		
3 CSR 10-9.565	Conservation Commission		28 MoReg 2018		
3 CSR 10-9.575	Conservation Commission		28 MoReg 2019		
3 CSR 10-9.625	Conservation Commission		28 MoReg 2019		
3 CSR 10-9.628	Conservation Commission		28 MoReg 2020		
3 CSR 10-10.720	Conservation Commission		28 MoReg 2020		
3 CSR 10-10.767	Conservation Commission		28 MoReg 2020		
3 CSR 10-10.768	Conservation Commission		28 MoReg 2021		
3 CSR 10-11.180	Conservation Commission		28 MoReg 2021		
3 CSR 10-11.182	Conservation Commission		N.A.	28 MoReg 2046	
3 CSR 10-11.205	Conservation Commission		28 MoReg 2021		
3 CSR 10-11.210	Conservation Commission		28 MoReg 2022		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-11.215	Conservation Commission		28 MoReg 2022		
3 CSR 10-12.110	Conservation Commission		28 MoReg 2023		
3 CSR 10-12.115	Conservation Commission		28 MoReg 2023		
3 CSR 10-12.125	Conservation Commission		28 MoReg 2023		
3 CSR 10-12.135	Conservation Commission		28 MoReg 2024		
3 CSR 10-12.140	Conservation Commission		28 MoReg 2024		
3 CSR 10-12.145	Conservation Commission		28 MoReg 2025		
3 CSR 10-20.805	Conservation Commission		28 MoReg 2025		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 10-1.010	Missouri State Board of Accountancy		28 MoReg 2089		
4 CSR 10-1.030	Missouri State Board of Accountancy		28 MoReg 2090		
4 CSR 10-1.040	Missouri State Board of Accountancy		28 MoReg 2091R		
4 CSR 10-2.005	Missouri State Board of Accountancy		28 MoReg 2091R		
			28 MoReg 2091		
4 CSR 10-2.010	Missouri State Board of Accountancy		28 MoReg 2092R		
4 CSR 10-2.021	Missouri State Board of Accountancy		28 MoReg 2093R		
4 CSR 10-2.030	Missouri State Board of Accountancy		28 MoReg 2093R		
4 CSR 10-2.041	Missouri State Board of Accountancy		28 MoReg 2093		
4 CSR 10-2.042	Missouri State Board of Accountancy		28 MoReg 2094R		
4 CSR 10-2.051	Missouri State Board of Accountancy		28 MoReg 2094		
4 CSR 10-2.061	Missouri State Board of Accountancy		28 MoReg 2099		
4 CSR 10-2.062	Missouri State Board of Accountancy		28 MoReg 2100R		
4 CSR 10-2.070	Missouri State Board of Accountancy		28 MoReg 2101		
4 CSR 10-2.072	Missouri State Board of Accountancy		28 MoReg 2102		
4 CSR 10-2.075	Missouri State Board of Accountancy		28 MoReg 2105		
4 CSR 10-2.095	Missouri State Board of Accountancy		28 MoReg 2108		
4 CSR 10-2.101	Missouri State Board of Accountancy		28 MoReg 2109		
4 CSR 10-2.111	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.112	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.115	Missouri State Board of Accountancy		28 MoReg 2110R		
4 CSR 10-2.120	Missouri State Board of Accountancy		28 MoReg 2111R		
4 CSR 10-2.130	Missouri State Board of Accountancy		28 MoReg 2111		
4 CSR 10-2.135	Missouri State Board of Accountancy		28 MoReg 2112		
4 CSR 10-2.140	Missouri State Board of Accountancy		28 MoReg 2112		
4 CSR 10-2.150	Missouri State Board of Accountancy		28 MoReg 2115		
4 CSR 10-2.160	Missouri State Board of Accountancy		28 MoReg 2115		
4 CSR 10-2.180	Missouri State Board of Accountancy		28 MoReg 2116R		
4 CSR 10-2.190	Missouri State Board of Accountancy		28 MoReg 2116R		
4 CSR 10-2.200	Missouri State Board of Accountancy		28 MoReg 2116		
4 CSR 10-2.210	Missouri State Board of Accountancy		28 MoReg 2117R		
4 CSR 10-2.215	Missouri State Board of Accountancy		28 MoReg 2117R		
4 CSR 10-3.010	Missouri State Board of Accountancy		28 MoReg 2117		
4 CSR 10-3.020	Missouri State Board of Accountancy		28 MoReg 2118R		
4 CSR 10-3.030	Missouri State Board of Accountancy		28 MoReg 2118R		
4 CSR 10-3.040	Missouri State Board of Accountancy		28 MoReg 2119R		
4 CSR 10-3.060	Missouri State Board of Accountancy		28 MoReg 2119		
4 CSR 10-4.010	Missouri State Board of Accountancy		28 MoReg 2120R		
			28 MoReg 2120		
4 CSR 10-4.020	Missouri State Board of Accountancy		28 MoReg 2124R		
			28 MoReg 2124		
4 CSR 10-4.030	Missouri State Board of Accountancy		28 MoReg 2124R		
4 CSR 10-4.031	Missouri State Board of Accountancy		28 MoReg 2124		
4 CSR 10-4.040	Missouri State Board of Accountancy		28 MoReg 2125R		
4 CSR 10-4.041	Missouri State Board of Accountancy		28 MoReg 2125		
4 CSR 10-4.050	Missouri State Board of Accountancy		28 MoReg 2125R		
4 CSR 10-5.070	Missouri State Board of Accountancy		28 MoReg 2126		
4 CSR 10-5.080	Missouri State Board of Accountancy		28 MoReg 2126		
4 CSR 10-5.090	Missouri State Board of Accountancy		28 MoReg 2130		
4 CSR 10-5.100	Missouri State Board of Accountancy		28 MoReg 2130		
4 CSR 10-5.110	Missouri State Board of Accountancy		28 MoReg 2131		
4 CSR 30-3.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1483R		
4 CSR 30-3.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1483R		
4 CSR 30-3.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484R		
4 CSR 30-3.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484R		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 30-3.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1484		
4 CSR 30-4.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1762R 28 MoReg 1763		
4 CSR 30-4.090	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1765		
4 CSR 30-5.140	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767		
4 CSR 30-5.150	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1767		
4 CSR 30-6.015	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769		
4 CSR 30-6.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		28 MoReg 1769		
4 CSR 60-1.040	State Board of Barber Examiners		28 MoReg 1487	28 MoReg 2261	
4 CSR 60-4.015	State Board of Barber Examiners		28 MoReg 1491	28 MoReg 2261	
4 CSR 70-1.010	State Board of Chiropractic Examiners		28 MoReg 1491R 28 MoReg 1492	28 MoReg 2261R 28 MoReg 2261	
4 CSR 70-2.020	State Board of Chiropractic Examiners		28 MoReg 1492	28 MoReg 2262	
4 CSR 70-2.030	State Board of Chiropractic Examiners		28 MoReg 1492	28 MoReg 2262	
4 CSR 70-2.040	State Board of Chiropractic Examiners		28 MoReg 1492	28 MoReg 2262	
4 CSR 70-2.045	State Board of Chiropractic Examiners		28 MoReg 1495	28 MoReg 2262	
4 CSR 70-2.050	State Board of Chiropractic Examiners		28 MoReg 1495	28 MoReg 2262	
4 CSR 70-2.060	State Board of Chiropractic Examiners		28 MoReg 1496	28 MoReg 2262	
4 CSR 70-2.065	State Board of Chiropractic Examiners		28 MoReg 1499	28 MoReg 2263	
4 CSR 70-2.070	State Board of Chiropractic Examiners		28 MoReg 1499	28 MoReg 2263	
4 CSR 70-2.080	State Board of Chiropractic Examiners		28 MoReg 1500	28 MoReg 2263	
4 CSR 70-2.081	State Board of Chiropractic Examiners		28 MoReg 1501	28 MoReg 2263	
4 CSR 70-2.090	State Board of Chiropractic Examiners		28 MoReg 1502	28 MoReg 2263	
4 CSR 70-2.100	State Board of Chiropractic Examiners		28 MoReg 1505	28 MoReg 2263	
4 CSR 70-3.010	State Board of Chiropractic Examiners		28 MoReg 1506	28 MoReg 2264	
4 CSR 90-3.010	State Board of Cosmetology		28 MoReg 2133		
4 CSR 90-5.010	State Board of Cosmetology		28 MoReg 2133		
4 CSR 90-7.010	State Board of Cosmetology		28 MoReg 2133		
4 CSR 90-8.010	State Board of Cosmetology		28 MoReg 2134		
4 CSR 90-10.010	State Board of Cosmetology		28 MoReg 2134		
4 CSR 90-11.010	State Board of Cosmetology		28 MoReg 2134		
4 CSR 90-12.020	State Board of Cosmetology		28 MoReg 2137		
4 CSR 90-12.070	State Board of Cosmetology		28 MoReg 2137		
4 CSR 90-13.010	State Board of Cosmetology		28 MoReg 2137		
4 CSR 100	Division of Credit Unions				28 MoReg 1956 28 MoReg 2057 This Issue
4 CSR 100-2.080	Division of Credit Unions		28 MoReg 1279	28 MoReg 1939	
4 CSR 115-1.040	State Committee of Dietitians		28 MoReg 1280	28 MoReg 2047	
4 CSR 150-2.080	State Board of Registration for the Healing Arts		28 MoReg 1507	28 MoReg 2264	
4 CSR 150-3.080	State Board of Registration for the Healing Arts		28 MoReg 1282	28 MoReg 2047	
4 CSR 150-3.170	State Board of Registration for the Healing Arts		28 MoReg 1284	28 MoReg 2047	
4 CSR 197-1.030	Board of Therapeutic Massage		This Issue		
4 CSR 197-1.040	Board of Therapeutic Massage		This Issue		
4 CSR 197-2.010	Board of Therapeutic Massage		This Issue		
4 CSR 197-2.030	Board of Therapeutic Massage		This Issue		
4 CSR 197-2.050	Board of Therapeutic Massage		This Issue		
4 CSR 197-3.010	Board of Therapeutic Massage		This Issue		
4 CSR 197-5.010	Board of Therapeutic Massage		This Issue		
4 CSR 197-5.020	Board of Therapeutic Massage		This Issue		
4 CSR 197-5.030	Board of Therapeutic Massage		This Issue		
4 CSR 197-5.040	Board of Therapeutic Massage		This Issue		
4 CSR 200-4.021	State Board of Nursing		28 MoReg 1286	28 MoReg 2047	
4 CSR 200-4.100	State Board of Nursing		28 MoReg 1286	28 MoReg 2047	
4 CSR 220-5.020	State Board of Pharmacy		28 MoReg 1177	28 MoReg 2166	
4 CSR 231-2.010	Division of Professional Registration		28 MoReg 1286	28 MoReg 2047	
4 CSR 232-3.010	Missouri State Committee of Interpreters		28 MoReg 1769		
4 CSR 240-3.155	Public Service Commission		28 MoReg 1507		
4 CSR 240-3.165	Public Service Commission		28 MoReg 2214		
4 CSR 240-3.180	Public Service Commission		28 MoReg 1024	28 MoReg 1939	
4 CSR 240-3.190	Public Service Commission		28 MoReg 2028		



Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 240-3.245	Public Service Commission		28 MoReg 2215		
4 CSR 240-3.250	Public Service Commission		28 MoReg 1028	28 MoReg 1940	
4 CSR 240-3.265	Public Service Commission		28 MoReg 1901		
4 CSR 240-3.335	Public Service Commission		28 MoReg 2216		
4 CSR 240-3.435	Public Service Commission		28 MoReg 2217		
4 CSR 240-3.440	Public Service Commission		28 MoReg 1906		
4 CSR 240-3.500	Public Service Commission		28 MoReg 2139		
4 CSR 240-3.540	Public Service Commission		28 MoReg 2219		
4 CSR 240-3.550	Public Service Commission		28 MoReg 2140		
4 CSR 240-3.640	Public Service Commission		28 MoReg 2220		
4 CSR 240-3.650	Public Service Commission		28 MoReg 1907		
4 CSR 240-13.015	Public Service Commission		28 MoReg 2140		
4 CSR 240-13.035	Public Service Commission		28 MoReg 2141		
4 CSR 240-18.010	Public Service Commission		28 MoReg 2030		
4 CSR 240-32.020	Public Service Commission		28 MoReg 2145		
4 CSR 240-32.060	Public Service Commission		28 MoReg 2147		
4 CSR 240-32.070	Public Service Commission		28 MoReg 2148		
4 CSR 240-32.080	Public Service Commission		28 MoReg 2149		
4 CSR 240-32.180	Public Service Commission	28 MoReg 1891	28 MoReg 2221		
4 CSR 240-32.190	Public Service Commission	28 MoReg 1891	28 MoReg 2222		
4 CSR 240-40.018	Public Service Commission		28 MoReg 1032	28 MoReg 1941	
4 CSR 250-3.020	Missouri Real Estate Commission		28 MoReg 1770		
4 CSR 250-8.090	Missouri Real Estate Commission		28 MoReg 2150		
4 CSR 250-8.096	Missouri Real Estate Commission		28 MoReg 2152		
4 CSR 250-8.097	Missouri Real Estate Commission		28 MoReg 2152		
4 CSR 250-8.160	Missouri Real Estate Commission		28 MoReg 1770		
4 CSR 250-10.010	Missouri Real Estate Commission		28 MoReg 1770		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 30-261.010	Division of Administrative and Financial Services		28 MoReg 1180	28 MoReg 2048	
5 CSR 60-120.020	Vocational and Adult Education		28 MoReg 1181	28 MoReg 2048W	
5 CSR 60-900.050	Vocational and Adult Education		28 MoReg 1093	28 MoReg 2048	
5 CSR 80-800.200	Teacher Quality and Urban Education		28 MoReg 1771		
5 CSR 80-800.220	Teacher Quality and Urban Education		28 MoReg 1774		
5 CSR 80-800.230	Teacher Quality and Urban Education		28 MoReg 1776		
5 CSR 80-800.260	Teacher Quality and Urban Education		28 MoReg 1779		
5 CSR 80-800.270	Teacher Quality and Urban Education		28 MoReg 1782		
5 CSR 80-800.280	Teacher Quality and Urban Education		28 MoReg 1784		
5 CSR 80-800.290	Teacher Quality and Urban Education		28 MoReg 1786		
5 CSR 80-800.300	Teacher Quality and Urban Education		28 MoReg 1786		
5 CSR 80-800.350	Teacher Quality and Urban Education		28 MoReg 1787		
5 CSR 80-800.360	Teacher Quality and Urban Education		28 MoReg 1790		
5 CSR 80-800.370	Teacher Quality and Urban Education		28 MoReg 1793		
5 CSR 80-800.380	Teacher Quality and Urban Education		28 MoReg 1796		
5 CSR 80-800.400	Teacher Quality and Urban Education		28 MoReg 1800		
5 CSR 90-7.010	Vocational Rehabilitation		28 MoReg 1800		
5 CSR 90-7.100	Vocational Rehabilitation		28 MoReg 1801		
5 CSR 90-7.200	Vocational Rehabilitation		28 MoReg 1801		
5 CSR 90-7.320	Vocational Rehabilitation		28 MoReg 1802		
5 CSR 100-200.010	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2222		
5 CSR 100-200.030	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2223		
5 CSR 100-200.040	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2223		
5 CSR 100-200.045	Missouri Commission for the Deaf and Hard of Hearing	28 MoReg 1554	28 MoReg 1563		
5 CSR 100-200.050	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2224		
5 CSR 100-200.060	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2224		
5 CSR 100-200.070	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2225		
5 CSR 100-200.075	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2225		
5 CSR 100-200.100	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2225		
5 CSR 100-200.125	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2226		
5 CSR 100-200.130	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2226		
5 CSR 100-200.140	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2227		
5 CSR 100-200.150	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2227		



Rule Number	Agency	Emergency	Proposed	Order	In Addition
5 CSR 100-200.170	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2227		
5 CSR 100-200.180	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2230		
5 CSR 100-200.210	Missouri Commission for the Deaf and Hard of Hearing		28 MoReg 2231		
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-3.040	Missouri Highways and Transportation Commission	28 MoReg 1173R	28 MoReg 1182R	28 MoReg 2048R	
7 CSR 10-17.010	Missouri Highways and Transportation Commission		28 MoReg 1563		
7 CSR 10-25.010	Missouri Highways and Transportation Commission	28 MoReg 1173	28 MoReg 1182	28 MoReg 2048	
7 CSR 10-26.010	Missouri Highways and Transportation Commission		28 MoReg 2231		
7 CSR 10-26.020	Missouri Highways and Transportation Commission		28 MoReg 2237		
<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 10-3.085	Division of Employment Security		28 MoReg 1661		
8 CSR 30-1.010	Division of Labor Standards		28 MoReg 2030		
8 CSR 30-4.010	Division of Labor Standards		28 MoReg 2031		
8 CSR 30-4.020	Division of Labor Standards		28 MoReg 2031		
<b>DEPARTMENT OF MENTAL HEALTH</b>					
9 CSR 10-5.190	Director, Department of Mental Health		28 MoReg 2153		
9 CSR 10-5.200	Director, Department of Mental Health		28 MoReg 1094	28 MoReg 2048	
9 CSR 10-5.210	Director, Department of Mental Health		28 MoReg 2155		
9 CSR 25-2.005	Fiscal Management		28 MoReg 1371	28 MoReg 2049	
9 CSR 25-2.105	Fiscal Management		28 MoReg 1372	28 MoReg 2050	
9 CSR 25-2.205	Fiscal Management		28 MoReg 1373R	28 MoReg 2050R	
9 CSR 25-2.305	Fiscal Management		28 MoReg 1373	28 MoReg 2050	
9 CSR 25-2.405	Fiscal Management		28 MoReg 1375	28 MoReg 2050	
9 CSR 30-3.132	Certification Standards		28 MoReg 1376	28 MoReg 2050	
9 CSR 30-3.206	Certification Standards		28 MoReg 1508		
9 CSR 30-3.208	Certification Standards		28 MoReg 1508		
9 CSR 45-5.105	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1805		
9 CSR 45-5.110	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1805		
9 CSR 45-5.130	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1809		
9 CSR 45-5.140	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1812		
9 CSR 45-5.150	Division of Mental Retardation and Developmental Disabilities		28 MoReg 1816		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-2.260	Air Conservation Commission		28 MoReg 1564		
10 CSR 10-6.110	Air Conservation Commission		28 MoReg 1095	28 MoReg 1944	
10 CSR 10-6.260	Air Conservation Commission		28 MoReg 1911		
10 CSR 20-6.010	Clean Water Commission		28 MoReg 1106	28 MoReg 2166	
10 CSR 20-7.050	Clean Water Commission		28 MoReg 2240		
10 CSR 25-12.010	Hazardous Waste Management Commission		28 MoReg 874	28 MoReg 1954	
10 CSR 60-4.010	Public Drinking Water Program		28 MoReg 969	28 MoReg 2168	
10 CSR 60-5.010	Public Drinking Water Program		28 MoReg 973	28 MoReg 2168	
10 CSR 70-5.040	Soil and Water Districts Commission	28 MoReg 1369	28 MoReg 1916		
10 CSR 100-2.010	Petroleum Storage Tank Insurance Fund Board of Trustees		28 MoReg 2156		
10 CSR 100-3.010	Petroleum Storage Tank Insurance Fund Board of Trustees		28 MoReg 2157		
10 CSR 100-4.010	Petroleum Storage Tank Insurance Fund Board of Trustees		28 MoReg 2157		
10 CSR 100-4.020	Petroleum Storage Tank Insurance Fund Board of Trustees		28 MoReg 2163		
10 CSR 140-2.020	Division of Energy				28 MoReg 1526
10 CSR 140-2.030	Division of Energy				28 MoReg 1526
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 10-5.010	Adjutant General	28 MoReg 1475	28 MoReg 1509	This Issue	
11 CSR 45-4.260	Missouri Gaming Commission		28 MoReg 34		
11 CSR 45-6.030	Missouri Gaming Commission		28 MoReg 2241		
11 CSR 45-9.030	Missouri Gaming Commission		28 MoReg 1106	28 MoReg 2169	
11 CSR 45-13.010	Missouri Gaming Commission		28 MoReg 1377	This Issue	
11 CSR 45-13.020	Missouri Gaming Commission		28 MoReg 1377	This Issue	
11 CSR 45-13.030	Missouri Gaming Commission		28 MoReg 1377	This Issue	
11 CSR 45-13.045	Missouri Gaming Commission		28 MoReg 1378	This Issue	
11 CSR 45-13.050	Missouri Gaming Commission		28 MoReg 1378	This Issue	
11 CSR 45-13.051	Missouri Gaming Commission		28 MoReg 1379	This Issue	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
11 CSR 45-13.060	Missouri Gaming Commission		28 MoReg 1379	This Issue	
11 CSR 45-13.070	Missouri Gaming Commission		28 MoReg 1380	This Issue	
11 CSR 45-13.080	Missouri Gaming Commission		28 MoReg 1381	This Issue	
11 CSR 45-30.540	Missouri Gaming Commission		28 MoReg 1110	28 MoReg 2172	
11 CSR 45-30.550	Missouri Gaming Commission		28 MoReg 1110	28 MoReg 2172	
11 CSR 50-2.010	Missouri State Highway Patrol		28 MoReg 1819		
11 CSR 50-2.020	Missouri State Highway Patrol		28 MoReg 1820		
11 CSR 50-2.050	Missouri State Highway Patrol		28 MoReg 1820		
11 CSR 50-2.160	Missouri State Highway Patrol		28 MoReg 1820		
11 CSR 50-2.200	Missouri State Highway Patrol		28 MoReg 1821		
11 CSR 50-2.270	Missouri State Highway Patrol		28 MoReg 1822		
11 CSR 50-2.320	Missouri State Highway Patrol		28 MoReg 1823		
11 CSR 50-2.340	Missouri State Highway Patrol		28 MoReg 1823		
11 CSR 70-2.120	Division of Alcohol and Tobacco Control		This Issue		
11 CSR 70-2.140	Division of Alcohol and Tobacco Control		This Issue		
11 CSR 75-13.090	Peace Officer Standards and Training Program		28 MoReg 1823		
11 CSR 80-5.010	Missouri State Water Patrol		28 MoReg 2243		
11 CSR 80-9.010	Missouri State Water Patrol		This Issue		
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-2.055	Director of Revenue		28 MoReg 2246R		
12 CSR 10-2.060	Director of Revenue		28 MoReg 2246R		
12 CSR 10-2.235	Director of Revenue		28 MoReg 2246R		
12 CSR 10-3.036	Director of Revenue		28 MoReg 1381R	28 MoReg 2050R	
12 CSR 10-3.046	Director of Revenue		28 MoReg 1381R	28 MoReg 2051R	
12 CSR 10-3.120	Director of Revenue		28 MoReg 1381R	28 MoReg 2051R	
12 CSR 10-3.176	Director of Revenue		28 MoReg 1382R	28 MoReg 2051R	
12 CSR 10-3.486	Director of Revenue		28 MoReg 1382R	28 MoReg 2051R	
12 CSR 10-3.836	Director of Revenue		28 MoReg 1382R	28 MoReg 2051R	
12 CSR 10-3.838	Director of Revenue		28 MoReg 1382R	28 MoReg 2051R	
12 CSR 10-7.180	Director of Revenue		28 MoReg 2246R		
12 CSR 10-7.210	Director of Revenue		28 MoReg 2246R		
12 CSR 10-7.220	Director of Revenue		28 MoReg 2247R		
12 CSR 10-7.290	Director of Revenue		28 MoReg 2247R		
12 CSR 10-7.310	Director of Revenue		28 MoReg 2247R		
12 CSR 10-7.330	Director of Revenue		28 MoReg 2247R		
12 CSR 10-23.050	Director of Revenue ( <i>Changed to 12 CSR 10-26.190</i> )		28 MoReg 1383	28 MoReg 2053	
12 CSR 10-23.300	Director of Revenue		28 MoReg 1383	28 MoReg 2052	
12 CSR 10-23.330	Director of Revenue		28 MoReg 1384	28 MoReg 2052	
12 CSR 10-23.370	Director of Revenue		28 MoReg 1384	28 MoReg 2052	
12 CSR 10-23.420	Director of Revenue		28 MoReg 1384	28 MoReg 2052	
12 CSR 10-23.436	Director of Revenue		28 MoReg 1385R	28 MoReg 2052R	
12 CSR 10-23.424	Director of Revenue		28 MoReg 2032		
12 CSR 10-23.444	Director of Revenue		28 MoReg 1385R	28 MoReg 2052R	
12 CSR 10-23.456	Director of Revenue		28 MoReg 1189	28 MoReg 1954	
12 CSR 10-23.458	Director of Revenue		28 MoReg 1386	28 MoReg 2053	
12 CSR 10-23.460	Director of Revenue		28 MoReg 2248		
12 CSR 10-24.040	Director of Revenue		28 MoReg 2032		
12 CSR 10-24.090	Director of Revenue		28 MoReg 1661		
12 CSR 10-24.200	Director of Revenue		28 MoReg 2033		
12 CSR 10-24.385	Director of Revenue		28 MoReg 1386	28 MoReg 2053	
12 CSR 10-24.390	Director of Revenue		28 MoReg 1386	28 MoReg 2053	
12 CSR 10-24.430	Director of Revenue		28 MoReg 1664		
12 CSR 10-24.450	Director of Revenue		28 MoReg 2034R		
12 CSR 10-26.120	Director of Revenue		28 MoReg 1664		
12 CSR 10-26.190	Director of Revenue ( <i>Changed from 12 CSR 10-23.050</i> )		28 MoReg 1383	28 MoReg 2053	
12 CSR 10-110.900	Director of Revenue		28 MoReg 881	28 MoReg 1584W	
12 CSR 10-111.010	Director of Revenue		28 MoReg 886	28 MoReg 1584W	
<b>DEPARTMENT OF SOCIAL SERVICES</b>					
13 CSR 40-2.310	Division of Family Services	28 MoReg 1421	28 MoReg 1423		
13 CSR 40-2.380	Division of Family Services	28 MoReg 1421	28 MoReg 1423		
13 CSR 40-19.020	Family Support Division	28 MoReg 1892	28 MoReg 1916		
13 CSR 40-31.025	Division of Family Services		28 MoReg 34		
13 CSR 70-3.120	Division of Family Services		28 MoReg 2248		
13 CSR 70-4.070	Division of Medical Services		28 MoReg 1511	This Issue	
13 CSR 70-10.015	Division of Medical Services	28 MoReg 1894 28 MoReg 1985T	28 MoReg 1918		
13 CSR 70-10.080	Division of Medical Services	28 MoReg 1897 28 MoReg 1985T	28 MoReg 1924		
13 CSR 70-10-110	Division of Medical Services	28 MoReg 1898 28 MoReg 1985T	28 MoReg 1926		
13 CSR 70-15.110	Division of Medical Services	28 MoReg 1755T 28 MoReg 1755	28 MoReg 1824		
13 CSR 70-15.180	Division of Medical Services		28 MoReg 2249		
13 CSR 70-20.320	Division of Medical Services		28 MoReg 2163		
13 CSR 70-98.010	Division of Medical Services		28 MoReg 1111		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
13 CSR 70-98.015	Division of Medical Services		28 MoReg 2253		
	<b>ELECTED OFFICIALS</b>				
15 CSR 30-1.010	Secretary of State		28 MoReg 2034R 28 MoReg 2034		
15 CSR 30-8.020	Secretary of State		28 MoReg 1928		
15 CSR 30-8.030	Secretary of State		28 MoReg 1928		
15 CSR 30-12.010	Secretary of State		28 MoReg 1931		
15 CSR 30-45.040	Secretary of State		28 MoReg 2037R 28 MoReg 2038		
15 CSR 30-50.010	Secretary of State	28 MoReg 1616	28 MoReg 1664		
15 CSR 30-50.020	Secretary of State	28 MoReg 1617	28 MoReg 1665		
15 CSR 30-50.030	Secretary of State	28 MoReg 1617	28 MoReg 1666		
15 CSR 30-50.040	Secretary of State	28 MoReg 1618	28 MoReg 1667		
15 CSR 30-51.010	Secretary of State	28 MoReg 1619	28 MoReg 1668		
15 CSR 30-51.020	Secretary of State	28 MoReg 1620	28 MoReg 1668		
15 CSR 30-51.030	Secretary of State	28 MoReg 1620	28 MoReg 1669		
15 CSR 30-51.040	Secretary of State	28 MoReg 1620	28 MoReg 1669		
15 CSR 30-51.050	Secretary of State	28 MoReg 1620	28 MoReg 1670		
15 CSR 30-51.060	Secretary of State	28 MoReg 1622	28 MoReg 1670		
15 CSR 30-51.070	Secretary of State	28 MoReg 1623	28 MoReg 1671		
15 CSR 30-51.090	Secretary of State	28 MoReg 1623	28 MoReg 1671		
15 CSR 30-51.100	Secretary of State	28 MoReg 1623	28 MoReg 1672		
15 CSR 30-51.110	Secretary of State	28 MoReg 1624	28 MoReg 1672		
15 CSR 30-51.120	Secretary of State	28 MoReg 1624R 28 MoReg 1624	28 MoReg 1672R 28 MoReg 1672		
15 CSR 30-51.130	Secretary of State	28 MoReg 1625R 28 MoReg 1625	28 MoReg 1673R 28 MoReg 1673		
15 CSR 30-51.140	Secretary of State	28 MoReg 1625R 28 MoReg 1626	28 MoReg 1673R 28 MoReg 1674		
15 CSR 30-51.145	Secretary of State	28 MoReg 1627	28 MoReg 1675		
15 CSR 30-51.150	Secretary of State	28 MoReg 1628R	28 MoReg 1676R		
15 CSR 30-51.160	Secretary of State	28 MoReg 1628	28 MoReg 1676		
15 CSR 30-51.165	Secretary of State	28 MoReg 1630	28 MoReg 1678		
15 CSR 30-51.169	Secretary of State	28 MoReg 1630	28 MoReg 1678		
15 CSR 30-51.170	Secretary of State	28 MoReg 1632	28 MoReg 1679		
15 CSR 30-51.180	Secretary of State	28 MoReg 1632	28 MoReg 1680		
15 CSR 30-52.010	Secretary of State	28 MoReg 1633	28 MoReg 1681		
15 CSR 30-52.015	Secretary of State	28 MoReg 1633	28 MoReg 1681		
15 CSR 30-52.020	Secretary of State	28 MoReg 1634	28 MoReg 1682		
15 CSR 30-52.025	Secretary of State	28 MoReg 1634	28 MoReg 1682		
15 CSR 30-52.030	Secretary of State	28 MoReg 1635	28 MoReg 1683		
15 CSR 30-52.100	Secretary of State	28 MoReg 1636	28 MoReg 1683		
15 CSR 30-52.120	Secretary of State	28 MoReg 1636	28 MoReg 1684		
15 CSR 30-52.200	Secretary of State	28 MoReg 1637	28 MoReg 1684		
15 CSR 30-52.260	Secretary of State	28 MoReg 1637	28 MoReg 1684		
15 CSR 30-52.275	Secretary of State	28 MoReg 1638	28 MoReg 1685		
15 CSR 30-52.280	Secretary of State	28 MoReg 1638	28 MoReg 1685		
15 CSR 30-52.300	Secretary of State	28 MoReg 1638	28 MoReg 1686		
15 CSR 30-52.310	Secretary of State	28 MoReg 1639	28 MoReg 1686		
15 CSR 30-52.320	Secretary of State	28 MoReg 1639	28 MoReg 1686		
15 CSR 30-52.330	Secretary of State	28 MoReg 1639	28 MoReg 1687		
15 CSR 30-52.340	Secretary of State	28 MoReg 1640	28 MoReg 1687		
15 CSR 30-53.010	Secretary of State	28 MoReg 1641	28 MoReg 1688		
15 CSR 30-54.010	Secretary of State	28 MoReg 1641	28 MoReg 1688		
15 CSR 30-54.015	Secretary of State	28 MoReg 1642	28 MoReg 1689		
15 CSR 30-54.020	Secretary of State	28 MoReg 1643	28 MoReg 1689		
15 CSR 30-54.030	Secretary of State	28 MoReg 1643R	28 MoReg 1690R		
15 CSR 30-54.040	Secretary of State	28 MoReg 1643R	28 MoReg 1690R		
15 CSR 30-54.050	Secretary of State	28 MoReg 1644	28 MoReg 1690		
15 CSR 30-54.060	Secretary of State	28 MoReg 1644	28 MoReg 1691		
15 CSR 30-54.070	Secretary of State	28 MoReg 1644R 28 MoReg 1645	28 MoReg 1691R 28 MoReg 1692		
15 CSR 30-54.080	Secretary of State	28 MoReg 1645R	28 MoReg 1692R		
15 CSR 30-54.090	Secretary of State	28 MoReg 1646R	28 MoReg 1692R		
15 CSR 30-54.100	Secretary of State	28 MoReg 1646	28 MoReg 1693		
15 CSR 30-54.110	Secretary of State	28 MoReg 1646	28 MoReg 1693		
15 CSR 30-54.120	Secretary of State	28 MoReg 1647	28 MoReg 1693		
15 CSR 30-54.125	Secretary of State	28 MoReg 1647R	28 MoReg 1694R		
15 CSR 30-54.130	Secretary of State	28 MoReg 1647R 28 MoReg 1648	28 MoReg 1694R 28 MoReg 1694		
15 CSR 30-54.140	Secretary of State	28 MoReg 1648R	28 MoReg 1695R		
15 CSR 30-54.150	Secretary of State	28 MoReg 1648	28 MoReg 1695		
15 CSR 30-54.160	Secretary of State	28 MoReg 1649R	28 MoReg 1696R		
15 CSR 30-54.170	Secretary of State	28 MoReg 1649	28 MoReg 1696		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
15 CSR 30-54.175	Secretary of State	28 MoReg 1985	28 MoReg 2041		
15 CSR 30-54.183	Secretary of State	28 MoReg 1650	28 MoReg 1696		
15 CSR 30-54.190	Secretary of State	28 MoReg 1650R	28 MoReg 1696R		
		28 MoReg 1650	28 MoReg 1697		
15 CSR 30-54.210	Secretary of State	28 MoReg 1651	28 MoReg 1698		
15 CSR 30-54.215	Secretary of State	28 MoReg 1652	28 MoReg 1698		
15 CSR 30-54.220	Secretary of State	28 MoReg 1652	28 MoReg 1699		
15 CSR 30-54.230	Secretary of State		28 MoReg 2041R		
15 CSR 30-54.240	Secretary of State		28 MoReg 2041R		
15 CSR 30-54.250	Secretary of State	28 MoReg 1654	28 MoReg 1700		
15 CSR 30-54.260	Secretary of State	28 MoReg 1655	28 MoReg 1701		
15 CSR 30-54.280	Secretary of State		28 MoReg 2042R		
15 CSR 30-54.290	Secretary of State	28 MoReg 1655	28 MoReg 1702		
15 CSR 30-55.010	Secretary of State	28 MoReg 1656	28 MoReg 1702		
15 CSR 30-55.020	Secretary of State	28 MoReg 1656	28 MoReg 1702		
15 CSR 30-55.025	Secretary of State	28 MoReg 1657	28 MoReg 1703		
15 CSR 30-55.030	Secretary of State	28 MoReg 1657	28 MoReg 1703		
15 CSR 30-55.040	Secretary of State	28 MoReg 1657	28 MoReg 1703		
15 CSR 30-55.050	Secretary of State	28 MoReg 1658	28 MoReg 1703		
15 CSR 30-55.060	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.070	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.080	Secretary of State	28 MoReg 1658	28 MoReg 1704		
15 CSR 30-55.090	Secretary of State	28 MoReg 1659	28 MoReg 1704		
15 CSR 30-55.100	Secretary of State	28 MoReg 1659	28 MoReg 1705		
15 CSR 30-55.110	Secretary of State	28 MoReg 1659	28 MoReg 1705		
15 CSR 30-55.220	Secretary of State	28 MoReg 1660	28 MoReg 1705		
<b>RETIREMENT SYSTEMS</b>					
16 CSR 10-4.005	The Public School Retirement System of Missouri		28 MoReg 1705		
16 CSR 10-4.012	The Public School Retirement System of Missouri		28 MoReg 1706		
16 CSR 10-4.014	The Public School Retirement System of Missouri		28 MoReg 1707		
16 CSR 10-5.010	The Public School Retirement System of Missouri		28 MoReg 1709		
16 CSR 10-6.010	The Public School Retirement System of Missouri		28 MoReg 1709		
16 CSR 10-6.045	The Public School Retirement System of Missouri		28 MoReg 1709		
16 CSR 10-6.060	The Public School Retirement System of Missouri		28 MoReg 1712		
16 CSR 50-20.030	The County Employees' Retirement Fund		28 MoReg 1713		
16 CSR 50-20.050	The County Employees' Retirement Fund		28 MoReg 1713		
<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 10-5.010	Office of the Director		28 MoReg 1826		
19 CSR 10-33.040	Office of the Director	28 MoReg 1247	28 MoReg 1287	28 MoReg 2053	
19 CSR 15-4.060	Division of Senior Services	28 MoReg 1756	28 MoReg 1837		
19 CSR 20-28.010	Division of Environmental Health and Communicable Disease Prevention		28 MoReg 1933		
19 CSR 25-33.010	Division of Administration		28 MoReg 2163		
19 CSR 25-34.010	Division of Administration		28 MoReg 2164R		
			28 MoReg 2164		
19 CSR 30-82.015	Division of Health Standards and Licensure	28 MoReg 1756	28 MoReg 1837		
19 CSR 30-82.060	Division of Health Standards and Licensure	28 MoReg 1986	28 MoReg 2042		
19 CSR 30-82.080	Division of Health Standards and Licensure	28 MoReg 1757	28 MoReg 1838		
19 CSR 30-82.090	Division of Health Standards and Licensure		28 MoReg 2254		
19 CSR 30-83.010	Division of Health Standards and Licensure	28 MoReg 1758	28 MoReg 1839		
19 CSR 30-85.042	Division of Health Standards and Licensure	28 MoReg 1758	28 MoReg 1839		
19 CSR 30-86.042	Division of Health Standards and Licensure	28 MoReg 1759	28 MoReg 1839		
19 CSR 60-50	Missouri Health Facilities Review Committee				28 MoReg 1859
					28 MoReg 1956
					28 MoReg 2057
					28 MoReg 2265
<b>DEPARTMENT OF INSURANCE</b>					
20 CSR	Medical Malpractice				26 MoReg 599
					27 MoReg 415
					28 MoReg 489
20 CSR	Sovereign Immunity Limits				27 MoReg 41
					27 MoReg 2319
					28 MoReg 2265
20 CSR 10-1.020	General Administration		28 MoReg 1937		
20 CSR 200-1.025	Financial Examination		28 MoReg 1713		
20 CSR 200-1.030	Financial Examination		28 MoReg 1714		
20 CSR 200-10.100	Financial Examination		28 MoReg 1714		
20 CSR 400-4.100	Life, Annuities and Health		28 MoReg 777R	28 MoReg 1955R	
			28 MoReg 778	28 MoReg 1955	
20 CSR 400-7.200	Life, Annuities and Health		28 MoReg 1715		
20 CSR 700-3.200	Licensing		28 MoReg 1716		

## Emergency Rules in Effect as of January 2, 2004

## Publication

## Expires

### Office of Administration

#### Commissioner of Administration

1 CSR 10-18.010 Retirement Policy . . . . . 28 MoReg 1615 . . . . . March 9, 2004

#### Division of Facilities Management

1 CSR 35-1.050 Public Use of State Facilities . . . . . 28 MoReg 1983 . . . . . April 15, 2004

1 CSR 35-2.030 Administration of the Leasing Process . . . . . 28 MoReg 1984 . . . . . April 15, 2004

### Department of Agriculture

#### Plant Industries

2 CSR 70-13.030 Program Participation, Fee Payment and Penalties . . . . . 28 MoReg 1553 . . . . . February 16, 2004

#### Weights and Measures

2 CSR 90-11.010 ANSI K61.1, Safety Requirements for the Storage and  
Handling of Anhydrous Ammonia . . . . . 28 MoReg 2207 . . . . . May 12, 2004

### Department of Economic Development

#### Public Service Commission

4 CSR 240-32.180 Definitions—Caller Identification Blocking Service . . . . . 28 MoReg 1891 . . . . . April 2, 2004

4 CSR 240-32.190 Standards for Providing Caller Identification Blocking Service . . . . . 28 MoReg 1891 . . . . . April 2, 2004

### Department of Elementary and Secondary Education

#### Missouri Commission for the Deaf and the Hard of Hearing

5 CSR 100-200.045 Provisional Restricted Certification in Education . . . . . 28 MoReg 1554 . . . . . February 14, 2004

### Department of Transportation

#### Missouri Highways and Transportation Commission

7 CSR 10-3.040 Division of Relocation Costs . . . . . 28 MoReg 1173 . . . . . February 26, 2004

7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers . . . . . 28 MoReg 1173 . . . . . February 26, 2004

### Department of Natural Resources

#### Soil and Water Districts Commission

10 CSR 70-5.040 Cost-Share Rates and Reimbursement Procedures . . . . . 28 MoReg 1369 . . . . . January 14, 2004

### Department of Public Safety

#### Adjutant General

11 CSR 10-5.010 Missouri Veterans' Recognition Program . . . . . 28 MoReg 1475 . . . . . February 17, 2004

### Department of Revenue

#### Director of Revenue

12 CSR 10-41.010 Annual Adjusted Rate of Interest . . . . . 20 MoReg 2207 . . . . . June 28, 2004

### Department of Social Services

#### Division of Family Services

13 CSR 40-2.310 Requirements as to Eligibility for Temporary Assistance . . . . . 28 MoReg 1421 . . . . . January 27, 2004

13 CSR 40-2.380 Grandparents as Foster Parents . . . . . 28 MoReg 1421 . . . . . January 27, 2004

13 CSR 40-19.020 Low Income Home Energy Assistance Program . . . . . 28 MoReg 1892 . . . . . March 28, 2004

#### Division of Medical Services

13 CSR 70-15.110 Federal Reimbursement Allowance (FRA) . . . . . 28 MoReg 1755 . . . . . March 15, 2004

### Elected Officials

#### Secretary of State

15 CSR 30-50.010 Definitions . . . . . 28 MoReg 1616 . . . . . March 9, 2004

15 CSR 30-50.020 General Instructions . . . . . 28 MoReg 1617 . . . . . March 9, 2004

15 CSR 30-50.030 Fees . . . . . 28 MoReg 1617 . . . . . March 9, 2004

15 CSR 30-50.040 Forms . . . . . 28 MoReg 1618 . . . . . March 9, 2004

15 CSR 30-51.010 General Instructions . . . . . 28 MoReg 1619 . . . . . March 9, 2004

15 CSR 30-51.020 Applications for Registration or Notice Filings . . . . . 28 MoReg 1620 . . . . . March 9, 2004

15 CSR 30-51.030 Examination Requirement . . . . . 28 MoReg 1620 . . . . . March 9, 2004

15 CSR 30-51.040 Financial Statements . . . . . 28 MoReg 1621 . . . . . March 9, 2004



**Emergency Rules in Effect as of January 2, 2004****Publication****Expires**

15 CSR 30-51.050	Net Capital Requirements for Broker-Dealers . . . . .	28 MoReg 1621	March 9, 2004
15 CSR 30-51.060	Broker-Dealer Notice of Net Capital Deficiency . . . . .	28 MoReg 1622	March 9, 2004
15 CSR 30-51.070	Minimum Net Worth Requirements for Investment Advisers . . . . .	28 MoReg 1623	March 9, 2004
15 CSR 30-51.090	Segregation of Accounts by Broker-Dealers . . . . .	28 MoReg 1623	March 9, 2004
15 CSR 30-51.100	Custody of Securities or Funds by Investment Advisers . . . . .	28 MoReg 1623	March 9, 2004
15 CSR 30-51.110	Confirmations . . . . .	28 MoReg 1624	March 9, 2004
15 CSR 30-51.120	Records Required of Broker-Dealers . . . . .	28 MoReg 1624	March 9, 2004
15 CSR 30-51.120	Records Required of Broker-Dealers . . . . .	28 MoReg 1624	March 9, 2004
15 CSR 30-51.130	Records to be Preserved by Broker-Dealers . . . . .	28 MoReg 1625	March 9, 2004
15 CSR 30-51.130	Records to be Preserved by Broker-Dealers . . . . .	28 MoReg 1625	March 9, 2004
15 CSR 30-51.140	Records Required of Investment Advisers . . . . .	28 MoReg 1625	March 9, 2004
15 CSR 30-51.140	Records Required of and to be Preserved by Investment Advisers . . . . .	28 MoReg 1626	March 9, 2004
15 CSR 30-51.145	Compensation Arrangements Involving Investment Advisers . . . . .	28 MoReg 1627	March 9, 2004
15 CSR 30-51.150	Records to be Preserved by Investment Advisers . . . . .	28 MoReg 1628	March 9, 2004
15 CSR 30-51.160	Effectiveness and Post-Effective Requirements . . . . .	28 MoReg 1628	March 16, 2004
15 CSR 30-51.165	Networking Arrangements between Broker-Dealers and Banks, Trust Companies or Savings Institutions . . . . .	28 MoReg 1630	March 9, 2004
15 CSR 30-51.169	Fraudulent Practices of Broker-Dealers and Agents . . . . .	28 MoReg 1630	March 9, 2004
15 CSR 30-51.170	Denial, Revocation and Suspension of Registration . . . . .	28 MoReg 1632	March 9, 2004
15 CSR 30-51.180	Exemptions from Registration for Broker-Dealers, Agents, Investment Advisers, and Investment Adviser Representatives . . . . .	28 MoReg 1632	March 9, 2004
15 CSR 30-52.010	General Provisions . . . . .	28 MoReg 1633	March 9, 2004
15 CSR 30-52.015	Applications for Registration . . . . .	28 MoReg 1633	March 9, 2004
15 CSR 30-52.020	Prospectus . . . . .	28 MoReg 1634	March 9, 2004
15 CSR 30-52.025	Financial Statements . . . . .	28 MoReg 1634	March 9, 2004
15 CSR 30-52.030	NASAA Statements of Policy . . . . .	28 MoReg 1635	March 9, 2004
15 CSR 30-52.100	Impoundment of Proceeds . . . . .	28 MoReg 1636	March 9, 2004
15 CSR 30-52.120	Debt Securities . . . . .	28 MoReg 1636	March 9, 2004
15 CSR 30-52.200	Offer of Refund Prior to Registration . . . . .	28 MoReg 1637	March 9, 2004
15 CSR 30-52.260	Suggested Form of Offer of Refund (Rescission) . . . . .	28 MoReg 1637	March 9, 2004
15 CSR 30-52.275	Small Company Offering Registrations (formerly Missouri Issuer Registration) . . . . .	28 MoReg 1638	March 9, 2004
15 CSR 30-52.280	Withdrawal of a Registration Statement . . . . .	28 MoReg 1638	March 9, 2004
15 CSR 30-52.300	Post-Effective Amendments and Notices to a Registration Statement . . . . .	28 MoReg 1638	March 9, 2004
15 CSR 30-52.310	Report of Completion of a Registration Statement . . . . .	28 MoReg 1639	March 9, 2004
15 CSR 30-52.320	Annual Report for the Renewal of a Registration Statement . . . . .	28 MoReg 1639	March 9, 2004
15 CSR 30-52.330	Records to be Preserved by Issuers . . . . .	28 MoReg 1639	March 9, 2004
15 CSR 30-52.340	Mortgage Revenue Bonds . . . . .	28 MoReg 1640	March 9, 2004
15 CSR 30-53.010	Promotional Materials to be Filed, Permitted Without Filing and Prohibited . . . . .	28 MoReg 1641	March 9, 2004
15 CSR 30-54.010	General . . . . .	28 MoReg 1641	March 9, 2004
15 CSR 30-54.015	Notice Filings for Investment Companies . . . . .	28 MoReg 1642	March 9, 2004
15 CSR 30-54.020	Government Issued or Guaranteed Securities . . . . .	28 MoReg 1643	March 9, 2004
15 CSR 30-54.030	Bank, Savings Institution or Trust Company Securities . . . . .	28 MoReg 1643	March 9, 2004
15 CSR 30-54.040	Federal Savings and Loan Association or State Building and Loan or Similar Association Securities . . . . .	28 MoReg 1643	March 9, 2004
15 CSR 30-54.050	Railroad, Other Common Carrier, Public Utility and Holding Company Securities . . . . .	28 MoReg 1644	March 9, 2004
15 CSR 30-54.060	Stock Exchange Listed Securities . . . . .	28 MoReg 1644	March 9, 2004
15 CSR 30-54.070	NASAA Statements of Policy (Exemptions) . . . . .	28 MoReg 1644	March 9, 2004
15 CSR 30-54.070	Not-for-Profit Securities . . . . .	28 MoReg 1645	March 9, 2004
15 CSR 30-54.080	Commercial Paper Securities . . . . .	28 MoReg 1645	March 9, 2004
15 CSR 30-54.090	Employees' Benefit Plan Securities . . . . .	28 MoReg 1646	March 9, 2004
15 CSR 30-54.100	Manual Exemption . . . . .	28 MoReg 1646	March 9, 2004
15 CSR 30-54.110	Unsolicited Order to Buy Exemption . . . . .	28 MoReg 1646	March 9, 2004
15 CSR 30-54.120	Mortgage-Note Exemption . . . . .	28 MoReg 1647	March 9, 2004
15 CSR 30-54.125	Institutional Buyer Exemption . . . . .	28 MoReg 1647	March 9, 2004
15 CSR 30-54.130	First Twenty-Five Persons Exemption . . . . .	28 MoReg 1647	March 9, 2004
15 CSR 30-54.130	Limited Offering Exemption . . . . .	28 MoReg 1648	March 9, 2004
15 CSR 30-54.140	Fifteen Transactions in Twelve Months Exemption . . . . .	28 MoReg 1648	March 9, 2004
15 CSR 30-54.150	Suggested Form of Investment Letter . . . . .	28 MoReg 1648	March 9, 2004
15 CSR 30-54.160	Offers to Existing Security Holders Exemption . . . . .	28 MoReg 1649	March 9, 2004
15 CSR 30-54.170	Preeffective Offer Exemption . . . . .	28 MoReg 1649	March 9, 2004



## Emergency Rules in Effect as of January 2, 2004

		Publication	Expires
15 CSR 30-54.175	Solicitation of Interest . . . . .	28 MoReg 1985 . . . . .	April 30, 2004
15 CSR 30-54.183	Exemption for Reporting Company Securities . . . . .	28 MoReg 1650 . . . . .	March 9, 2004
15 CSR 30-54.190	Agricultural Cooperative Association Securities . . . . .	28 MoReg 1650 . . . . .	March 9, 2004
15 CSR 30-54.190	New Generation Processing Entity . . . . .	28 MoReg 1650 . . . . .	March 9, 2004
15 CSR 30-54.210	Notice Filings for Transactions under Regulation D, Rules 505 and 506 . . . . .	28 MoReg 1651 . . . . .	March 9, 2004
15 CSR 30-54.215	Accredited Investor Exemption . . . . .	28 MoReg 1652 . . . . .	March 9, 2004
15 CSR 30-54.220	Transaction Exemption for Securities Listed on Certain Quotation Systems . . . . .	28 MoReg 1652 . . . . .	March 9, 2004
15 CSR 30-54.250	Missouri Qualified Fund Exemption . . . . .	28 MoReg 1654 . . . . .	March 9, 2004
15 CSR 30-54.260	Foreign Issuer Exemption . . . . .	28 MoReg 1655 . . . . .	March 9, 2004
15 CSR 30-54.290	Canadian-United States Cross-Border Trading Exemption . . . . .	28 MoReg 1655 . . . . .	March 9, 2004
15 CSR 30-55.010	Who May Request . . . . .	28 MoReg 1656 . . . . .	March 9, 2004
15 CSR 30-55.020	Instituting Hearing Before the Commissioner . . . . .	28 MoReg 1656 . . . . .	March 9, 2004
15 CSR 30-55.025	General Prehearing Procedures . . . . .	28 MoReg 1657 . . . . .	March 9, 2004
15 CSR 30-55.030	Answers and Supplementary Pleadings . . . . .	28 MoReg 1657 . . . . .	March 9, 2004
15 CSR 30-55.040	Notice of Hearing . . . . .	28 MoReg 1657 . . . . .	March 9, 2004
15 CSR 30-55.050	Prehearing Conferences . . . . .	28 MoReg 1658 . . . . .	March 9, 2004
15 CSR 30-55.060	Public Hearing . . . . .	28 MoReg 1658 . . . . .	March 9, 2004
15 CSR 30-55.070	Record of Hearing Before the Commissioner . . . . .	28 MoReg 1658 . . . . .	March 9, 2004
15 CSR 30-55.080	Discovery . . . . .	28 MoReg 1658 . . . . .	March 9, 2004
15 CSR 30-55.090	Procedure at Hearing . . . . .	28 MoReg 1659 . . . . .	March 9, 2004
15 CSR 30-55.100	Subpoenas . . . . .	28 MoReg 1659 . . . . .	March 9, 2004
15 CSR 30-55.110	Motions, Suggestions and Legal Briefs . . . . .	28 MoReg 1659 . . . . .	March 9, 2004
15 CSR 30-55.220	Hearing Officers . . . . .	28 MoReg 1660 . . . . .	March 9, 2004

## Department of Health and Senior Services

### Office of the Director

19 CSR 10-33.040	Electronic Reporting of Patient Abstract Data by Hospitals for Public Syndromic Surveillance . . . . .	28 MoReg 1247 . . . . .	January 2, 2004
------------------	---	-------------------------	-----------------

### Division of Senior Services

19 CSR 15-4.060	State Long-Term Care Ombudsman Program . . . . .	28 MoReg 1756 . . . . .	March 19, 2004
-----------------	--	-------------------------	----------------

### Division of Health Standards and Licensure

19 CSR 30-82.015	Long-Term Care Receiverships . . . . .	28 MoReg 1756 . . . . .	March 19, 2004
19 CSR 30-82.060	Hiring Restrictions—Good Cause Waiver . . . . .	28 MoReg 1986 . . . . .	April 22, 2004
19 CSR 30-82.080	Nursing Facility Quality of Care Improvement Program . . . . .	28 MoReg 1757 . . . . .	March 19, 2004
19 CSR 30-83.010	Definitions of Terms . . . . .	28 MoReg 1758 . . . . .	March 19, 2004
19 CSR 30-85.042	Administration and Resident Care Requirements for New and Existing Intermediate Care and Skilled Nursing Facilities . . . . .	28 MoReg 1758 . . . . .	March 19, 2004
19 CSR 30-86.042	Administrative, Personnel and Resident Care Requirements for New and Existing Residential Care Facilities I and II . . . . .	28 MoReg 1759 . . . . .	March 19, 2004

## Missouri Consolidated Health Care Plan

### Health Care Plan

22 CSR 10-2.020	Membership Agreement and Participation Period . . . . .	Next Issue . . . . .	June 29, 2004
-----------------	---	----------------------	---------------

**Executive**

<b>Orders</b>	<b>Subject Matter</b>	<b>Filed Date</b>	<b>Publication</b>
<b>03-01</b>	Reestablishes the Missouri Lewis and Clark Bicentennial Commission	February 3, 2003	28 MoReg 296
<b>03-02</b>	Establishes the Division of Family Support in the Dept. of Social Services	February 5, 2003	28 MoReg 298
<b>03-03</b>	Establishes the Children's Division in the Dept. of Social Services	February 5, 2003	28 MoReg 300
<b>03-04</b>	Transfers all TANF functions to the Division of Workforce Development in the Dept. of Economic Development	February 5, 2003	28 MoReg 302
<b>03-05</b>	Transfers the Division of Highway Safety to the Dept. of Transportation	February 5, 2003	28 MoReg 304
<b>03-06</b>	Transfers the Minority Business Advocacy Commission to the Office of Administration	February 5, 2003	28 MoReg 306
<b>03-07</b>	Creates the Commission on the Future of Higher Education	March 17, 2003	28 MoReg 631
<b>03-08</b>	Lists Governor's staff who have supervisory authority over departments	September 4, 2003	28 MoReg 1556
<b>03-09</b>	Lists Governor's staff who have supervisory authority over departments	March 18, 2003	28 MoReg 633
<b>03-10</b>	Creates the Missouri Energy Policy Council	March 13, 2003	28 MoReg 634
<b>03-11</b>	Creates the Citizens Advisory Committee on Corrections	April 1, 2003	28 MoReg 705
<b>03-12</b>	Declares disaster areas due to May 4 tornadoes	May 5, 2003	28 MoReg 950
<b>03-13</b>	Calls National Guard to assist in areas harmed by the May 4 tornadoes	May 5, 2003	28 MoReg 952
<b>03-14</b>	Temporarily suspends enforcement of environmental rules due to the May 4th [et al.] tornadoes	May 7, 2003	28 MoReg 954
<b>03-15</b>	Establishes the Missouri Small Business Regulatory Fairness Board	August 25, 2003	28 MoReg 1477
<b>03-16</b>	Establishes the Missouri Commission on Patient Safety	October 1, 2003	28 MoReg 1760
<b>03-17</b>	Creates the Governor's Committee to End Chronic Homelessness	October 8, 2003	28 MoReg 1899
<b>03-18</b>	Designates the Missouri State Highway Patrol within the Department of Public Safety as lead agency in state communications	December 10, 2003	This Issue
<b>03-19</b>	Creates the Public Safety Communications Committee	December 10, 2003	This Issue
<b>03-20</b>	Requires configuration of two-way radios used by agencies of the state of Missouri to include established interoperability channels as specified by the State Interoperability Executive Committee	December 10, 2003	This Issue
<b>03-21</b>	Closes state offices Friday, November 28 and Friday, December 26, 2003	October 24, 2003	28 MoReg 1989
<b>03-22</b>	Establishes the Missouri Sexual Offender Registration Task Force	December 10, 2003	This Issue
<b>03-23</b>	Adds the functions of a State Citizen Council to the Disaster Recovery Partnership	December 10, 2003	This Issue
<b>03-24</b>	Establishes the Governor's Commission on Hispanic Affairs	November 8, 2003	28 MoReg 2085
<b>03-25</b>	Requires state agencies to adopt cyber security policies and procedures. Designates the Office of Information Technology as principal forum to improve policies and procedures	December 10, 2003	This Issue
<b>03-26</b>	Reestablishes the Office of Information Technology as the mechanism for coordinating information technology initiatives for the state	December 10, 2003	This Issue
<b>03-27</b>	Use of Missouri products and services	December 2, 2003	28 MoReg 2209

The rule number and the MoReg publication date follow each entry to this index.

## ACCOUNTANCY, STATE BOARD OF

certificates, permits, temporary; 4 CSR 10-2.021; 12/1/03  
clients, responsibilities to; 4 CSR 10-3.040; 12/1/03  
complaints; 4 CSR 10-1.030; 12/1/03  
continuing education requirements  
    documentation; 4 CSR 10-4.031; 12/1/03  
    effective dates; 4 CSR 10-4.010; 12/1/03  
    evidence, reporting and supporting; 4 CSR 10-4.050; 12/1/03  
    exceptions, waivers; 4 CSR 10-4.041; 12/1/03  
    hours, measurement; 4 CSR 10-4.040; 12/1/03  
    programs, qualifying; 4 CSR 10-4.020; 12/1/03  
    subjects, qualifying; 4 CSR 10-4.030; 12/1/03  
CPA certificate, eligibility; 4 CSR 10-2.010; 12/1/03  
definitions; 4 CSR 10-2.005; 12/1/03  
    resident of this state; 4 CSR 10-2.042; 12/1/03  
display of permits; 4 CSR 10-2.115; 12/1/03  
ethics rules, purpose; 4 CSR 10-3.010; 12/1/03  
evidence of work experience; 4 CSR 10-2.062; 12/1/03  
examination  
    application for; 4 CSR 10-2.130; 12/1/03  
    eligibility for; 4 CSR 10-2.041; 12/1/03  
    ethics; 4 CSR 10-2.120; 12/1/03  
    granting of credit for; 4 CSR 10-2.140; 12/1/03  
    procedures; 4 CSR 10-2.150; 12/1/03  
    requirements to satisfy within 60 days; 4 CSR 10-2.135;  
        12/1/03  
fees; 4 CSR 10-2.160; 12/1/03  
hearings, peer review; 4 CSR 10-2.180; 12/1/03  
independence, integrity, objectivity; 4 CSR 10-3.020; 12/1/03  
licenses  
    reinstatement of; 4 CSR 10-2.075; 12/1/03  
    renewal; 4 CSR 10-2.070; 12/1/03  
    requirements for initial; 4 CSR 10-2.061; 12/1/03  
organization; 4 CSR 10-1.010; 12/1/03  
ownership of CPA firms; 4 CSR 10-2.095; 12/1/03  
peer review; 4 CSR 10-2.210; 12/1/03  
    administration; 4 CSR 10-5.100; 12/1/03  
    firms subject to; 4 CSR 10-5.080; 12/1/03  
    oversight; 4 CSR 10-5.110; 12/1/03  
    renewal of firm permit; 4 CSR 10-5.090; 12/1/03  
    standards; 4 CSR 10-5.070; 12/1/03  
permit renewal, accounting firm; 4 CSR 10-2.072; 12/1/03  
reciprocity; 4 CSR 10-2.030; 12/1/03  
registration  
    each office; 4 CSR 10-2.111; 12/1/03  
    firms; 4 CSR 10-2.051; 12/1/03  
    governmental offices; 4 CSR 10-2.112; 12/1/03  
release of information; 4 CSR 10-1.040; 12/1/03  
requirements to be accredited; 4 CSR 10-2.215; 12/1/03  
resident manager; 4 CSR 10-2.101; 12/1/03  
responsibilities, practices; 4 CSR 10-3.060; 12/1/03  
standards, competence, technical; 4 CSR 10-3.030; 12/1/03  
subpoenas; 4 CSR 10-2.190; 12/1/03  
use of the title certified public accountant; 4 CSR 10-2.200;  
    12/1/03

## ADJUTANT GENERAL

veteran's recognition program; 11 CSR 10-5.010; 9/2/03, 1/2/04

## ADMINISTRATION, OFFICE OF

retirement policy; 1 CSR 10-18.010; 9/2/03, 10/1/03

## ADMINISTRATIVE HEARING COMMISSION

complaints; 1 CSR 15-3.350; 7/15/03, 10/15/03  
stays or suspensions; 1 CSR 15-3.320; 7/15/03, 10/15/03

## AIR QUALITY, POLLUTION

conformity to state implementation plans; 10 CSR 10-2.390;  
    10 CSR 10-5.480; 3/17/03, 8/15/03  
construction permits; 10 CSR 10-6.060; 4/15/03, 9/15/03  
    by rule; 10 CSR 10-6.062; 4/15/03, 9/15/03  
    exemptions; 10 CSR 10-6.061; 4/15/03, 9/15/03  
control of petroleum liquid storage, loading, transfer; 10 CSR 10-  
    2.260; 9/15/03  
definitions; 10 CSR 10-6.020; 4/15/03, 9/15/03  
emissions  
    alternate limits; 10 CSR 10-6.100; 12/16/02, 6/16/03  
    hazardous air pollutants; 10 CSR 10-6.080; 3/17/03, 9/2/03  
    limitations, oxides of nitrogen; 10 CSR 10-6.350; 1/16/03,  
        7/15/03  
    lithographic installations; 10 CSR 10-2.340; 2/18/03, 7/15/03  
    restrictions  
        odors; 10 CSR 10-2.070, 10 CSR 10-3.090, 10 CSR  
            10-4.070, 10 CSR 10-5.160; 3/17/03, 8/15/03  
        submission of data; 10 CSR 10-6.110; 6/16/03, 11/3/03  
        sulfur compounds; 10 CSR 10-6.260; 11/3/03  
maximum achievable control technology; 10 CSR 10-6.075;  
    3/17/03, 9/2/03  
new source performance operations; 10 CSR 10-6.070; 3/17/03,  
    9/2/03  
operating permits; 10 CSR 10-6.065; 4/15/03, 9/15/03  
start-up, shutdown, malfunction conditions; 10 CSR 10-6.050;  
    9/15/03

## ALCOHOL AND TOBACCO CONTROL, DIVISION OF

licensees; 11 CSR 70-2.140; 1/2/04  
retail; 11 CSR 70-2.120; 1/2/04

## AMBULANCES

application and licensure; 19 CSR 30-40.309; 5/1/03, 8/15/03

## AMUSEMENT RIDES

accident, report; 11 CSR 40-6.045; 5/15/03, 9/2/03  
cessation order; 11 CSR 40-6.050; 5/15/03, 9/2/03  
cost, investigation; 11 CSR 40-6.055; 5/15/03, 9/2/03  
director; 11 CSR 40-6.060; 5/15/03, 9/2/03  
inspection; 11 CSR 40-6.010; 5/15/03, 9/2/03  
insurance, liability; 11 CSR 40-6.040; 5/15/03, 9/2/03  
operator; 11 CSR 40-6.080; 5/15/03, 9/2/03  
owner; 11 CSR 40-6.075; 5/15/03, 9/2/03  
passenger/rider responsibility; 11 CSR 40-6.085; 5/15/03, 9/2/03  
purpose; 11 CSR 40-6.031; 5/15/03, 9/2/03  
terms, defined; 11 CSR 40-6.020; 5/15/03, 9/2/03

## ANIMAL FACILITIES

loan guarantee program; 2 CSR 100-6.010; 10/15/03

## ANIMAL HEALTH

admission; 2 CSR 30-2.010; 4/15/03, 6/16/03, 8/15/03  
animal care facilities; 2 CSR 30-9.020; 6/16/03, 11/3/03  
    standards; 2 CSR 30-9.030; 6/16/03, 11/17/03  
duties, facilities of the market/sale veterinarian; 2 CSR 30-6.020;  
    3/3/03, 6/16/03  
elk, captive, entering Missouri; 2 CSR 30-2.012; 9/3/02  
exhibition; 2 CSR 30-2.040; 3/3/03, 4/15/03, 6/16/03  
movement of livestock; 2 CSR 30-2.020; 3/3/03, 4/15/03, 6/16/03,  
    8/15/03

## **ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, LANDSCAPE ARCHITECTS**

architects  
     evaluation; 4 CSR 30-4.060; 10/15/03  
     seals; 4 CSR 30-3.020; 9/2/03  
 engineers  
     seals; 4 CSR 30-3.030; 9/2/03  
 fees; 4 CSR 30-6.015; 10/15/03  
     reexamination; 4 CSR 30-6.020; 10/15/03  
 landscape architect  
     admission to exam; 4 CSR 30-5.150; 10/15/03  
     CLARB examination; 4 CSR 30-5.140; 10/15/03  
     evaluation; 4 CSR 30-4.090; 10/15/03  
     seals; 4 CSR 30-3.050; 9/2/03  
 land surveyors  
     seals; 4 CSR 30-3.040; 9/2/03  
 seal, license; 4 CSR 30-3.060; 9/2/03  
 surveys, standards for property boundary  
     accuracy standards for property boundaries; 4 CSR 30-16.040; 5/1/03, 9/2/03  
     condominium surveys; 4 CSR 30-16.100; 5/1/03, 9/2/03  
     definitions; 4 CSR 30-16.020; 5/1/03, 9/2/03  
     land surveying requirements; 4 CSR 30-16.030; 5/1/03, 9/2/03  
     monumentation, approved; 4 CSR 30-16.060; 5/1/03, 9/2/03  
     original surveys; 4 CSR 30-16.080; 5/1/03, 9/2/03  
     resurveys; 4 CSR 30-16.070; 5/1/03, 9/2/03  
     subdivision surveys; 4 CSR 30-16.090; 5/1/03, 9/2/03

## **ASSISTIVE DEVICES**

accommodations for the disabled; 15 CSR 60-11.100; 2/18/03, 7/15/03  
 appointment of arbitration firm; 15 CSR 60-11.010; 2/18/03, 7/15/03  
 assignment of arbitrator; 15 CSR 60-11.050; 2/18/03, 7/15/03  
 cost of arbitration; 15 CSR 60-11.040; 2/18/03, 7/15/03  
 decision, arbitrator's; 15 CSR 60-11.140; 2/18/03, 7/15/03  
 defaults; 15 CSR 60-11.120; 2/18/03, 7/15/03  
 filing for arbitration; 15 CSR 60-11.030; 2/18/03, 7/15/03  
 hearing on documents only; 15 CSR 60-11.110; 2/18/03, 7/15/03  
 hearing procedure; 15 CSR 60-11.090; 2/18/03, 7/15/03  
 notice to consumers; 15 CSR 60-11.020; 2/18/03, 7/15/03  
 record keeping; 15 CSR 60-11.150; 2/18/03, 7/15/03  
 representation by counsel or third party; 15 CSR 60-11.080; 2/18/03, 7/15/03  
 request for additional information; 15 CSR 60-11.070; 2/18/03, 7/15/03  
 sample form; 15 CSR 60-11.160; 2/18/03, 7/15/03  
 scheduling of arbitration hearings; 15 CSR 60-11.060; 2/18/03, 7/15/03  
 withdrawal or settlement prior to decision; 15 CSR 60-11.130; 2/18/03, 7/15/03

## **BARBER EXAMINERS, STATE BOARD OF**

reinstatement of expired license; 4 CSR 60-1.040; 9/2/03, 12/15/03  
 sanitation rules; 4 CSR 60-4.015; 9/2/03, 12/15/03

## **BINGO**

duty to report, licensee; 11 CSR 45-30.550; 6/16/03, 12/1/03  
 paraphernalia, approval; 11 CSR 45-30.540; 6/16/03, 12/1/03

## **BOATER SAFETY EDUCATION**

mandatory program; 11 CSR 80-9.010; 1/2/04

## **BOILER AND PRESSURE VESSEL SAFETY**

administration; 11 CSR 40-2.020; 11/1/02, 4/1/03, 7/1/03  
 definitions; 11 CSR 40-2.010; 7/1/03

existing; 11 CSR 40-2.040; 7/1/03  
     installation; 11 CSR 40-2.030; 7/1/03  
     pressure vessels; 11 CSR 40-2.050; 7/1/03  
 heating boilers, existing; 11 CSR 40-2.040; 7/1/03  
 power boilers, installation; 11 CSR 40-2.030; 7/1/03  
 pressure vessels; 11 CSR 40-2.050; 7/1/03  
 requirements, general; 11 CSR 40-2.060; 7/1/03

## **BOLL WEEVIL ERADICATION**

program participation, fee, penalties; 2 CSR 70-13.030; 9/15/03

## **CERTIFICATE OF NEED PROGRAM**

application  
     package; 19 CSR 60-50.430; 1/16/03, 6/16/03, 7/1/03, 10/15/03  
     process; 19 CSR 60-50.420; 1/16/03, 6/16/03, 7/1/03  
 criteria and standards  
     long-term care; 19 CSR 60-50.450; 1/16/03, 6/16/03, 7/1/03  
     post-decision activity; 19 CSR 60-50.700; 1/16/03, 6/16/03, 7/1/03, 10/15/03  
 definitions; 19 CSR 60-50.300; 1/16/03, 6/16/03, 7/1/03  
 letter of intent  
     package; 19 CSR 60-50.410; 1/16/03, 6/16/03, 7/1/03, 10/15/03  
     process; 19 CSR 60-50.400; 1/16/03, 6/16/03, 7/1/03  
 review process; 19 CSR 60-50.420; 1/16/03, 6/16/03, 7/1/03

## **CHILD ABUSE**

review process; 13 CSR 40-31.025; 1/2/03

## **CHIROPRACTIC EXAMINERS, BOARD OF**

adjunctive procedures; 4 CSR 70-2.030; 9/2/03, 12/15/03  
 application for licensure; 4 CSR 70-2.040; 9/2/03, 12/15/03  
 colleges, board approved; 4 CSR 70-2.045; 9/2/03, 12/15/03  
 complaint handling and disposition; 4 CSR 70-2.065; 9/2/03, 12/15/03  
 corporations, professional; 4 CSR 70-2.100; 9/2/03, 12/15/03  
 diagnostic procedures, instruments; 4 CSR 70-2.020; 9/2/03, 12/15/03  
 examinations; 4 CSR 70-2.050; 9/2/03, 12/15/03  
 fees; 4 CSR 70-2.090; 9/2/03, 12/15/03  
 license renewal, biennial; 4 CSR 70-2.080; 9/2/03, 12/15/03  
 organization; 4 CSR 70-1.010; 9/2/03, 12/15/03  
 postgraduate education; 4 CSR 70-2.081; 9/2/03, 12/15/03  
 preceptorship; 4 CSR 70-3.010; 9/2/03, 12/15/03  
 professional conduct rules; 4 CSR 70-2.060; 9/2/03, 12/15/03  
 reciprocity; 4 CSR 70-2.070; 9/2/03, 12/15/03

## **CLEAN WATER COMMISSION**

impaired waterbody list; 10 CSR 20-7.050; 12/15/03  
 permit, construction and operating; 10 CSR 20-6.010; 6/16/03, 12/1/03

## **CONSERVATION COMMISSION**

black bass; 3 CSR 10-6.505; 11/17/03  
 boats and motors; 3 CSR 10-11.160; 6/16/03, 9/2/03  
     use of; 3 CSR 10-12.110; 6/16/03, 9/2/03, 11/17/03  
 bullfrogs, green frogs; 3 CSR 10-12.115; 11/17/03  
 cable restraint permit, resident; 3 CSR 10-5.375; 11/17/03  
 catfish; 3 CSR 10-6.510; 11/17/03  
 deer; 3 CSR 10-7.435; 7/15/03  
     hunting; 3 CSR 10-11.182; 6/16/03, 7/15/03, 9/2/03, 10/1/03, 11/17/03  
 definitions; 3 CSR 10-20.805; 7/15/03, 10/1/03, 11/17/03  
 dog training area; 3 CSR 10-9.628; 11/17/03  
 endangered species; 3 CSR 10-4.111; 6/16/03, 9/2/03  
 falconry; 3 CSR 10-9.442; 10/15/03  
 field trial permit; 3 CSR 10-9.625; 11/17/03  
 fishing  
     commercial permit; 3 CSR 10-10.720; 11/17/03



daily and possession limits; 3 CSR 10-11.210; 11/17/03;  
3 CSR 10-12.140; 6/16/03, 9/2/03, 10/1/03,  
11/17/03  
hours and methods; 3 CSR 10-11.205; 6/16/03, 9/2/03,  
11/17/03  
length limits; 3 CSR 10-11.215, 3 CSR 10-12.145; 11/17/03  
methods; 3 CSR 10-12.135; 6/16/03, 9/2/03, 10/1/03,  
11/17/03  
permit, daily; 3 CSR 10-5.440; 11/17/03  
permits, resident; 3 CSR 10-5.340; 11/17/03  
lifetime conservation partner; 3 CSR 10-5.310;  
11/17/03  
provisions, general; 3 CSR 10-6.405; 5/1/03, 7/15/03  
reciprocal privileges; 3 CSR 10-10.726; 5/1/03, 7/15/03  
tag and release fishing; 3 CSR 10-10.732; 5/1/03, 7/15/03  
furbearers, trapping seasons; 3 CSR 10-8.515; 9/2/03, 11/17/03  
nonresident hunting, trapping permit; 3 CSR 10-5.570;  
11/17/03  
hound dog running area; 3 CSR 10-5.470; 11/17/03  
privileges, requirements; 3 CSR 10-9.575; 11/17/03  
hunting  
furbearers; 3 CSR 10-7.450; 11/17/03  
general provisions; 3 CSR 10-11.180; 11/17/03  
methods; 3 CSR 10-7.410; 6/16/03, 9/2/03, 11/17/03  
provisions, seasons; 3 CSR 10-11.180; 6/16/03, 9/2/03  
hunting, trapping; 3 CSR 10-12.125; 11/17/03  
licensed hunting preserve; 3 CSR 10-9.565; 11/17/03  
migratory game birds; 3 CSR 10-10.745; 6/16/03  
seasons and limits; 3 CSR 10-7.440; 8/15/03, 10/15/03  
organization; 3 CSR 10-1.010; 9/2/03, 11/17/03  
paddlefish; 3 CSR 10-6.525; 11/17/03  
permit, firearms  
obtained, not transferable; 3 CSR 10-5.215; 11/17/03  
nonresident firearms  
first bonus; 3 CSR 10-5.552; 7/15/03, 10/1/03  
landowner, first bonus; 3 CSR 10-5.577; 7/15/03,  
10/1/03  
landowner, second bonus; 3 CSR 10-5.578; 7/15/03,  
10/1/03  
second bonus; 3 CSR 10-5.553; 7/15/03, 10/1/03  
required, exceptions; 3 CSR 10-5.205; 11/17/03  
resident firearms first bonus; 3 CSR 10-5.352; 7/15/03,  
10/1/03  
permit, hunting and fishing; 3 CSR 10-5.330; 11/17/03  
prohibitions, general; 3 CSR 10-9.110; 6/16/03, 9/2/03, 11/17/03;  
3 CSR 10-4.110; 11/17/03  
provisions, general; 3 CSR 10-7.405; 11/17/03  
restricted zones; 3 CSR 10-6.415; 11/17/03  
rock bass, warmouth; 3 CSR 10-6.530; 11/17/03  
sale, possession of wildlife parts; 3 CSR 10-10.768; 11/17/03  
small game permit; 3 CSR 10-5.320; 11/17/03  
daily; 3 CSR 10-5.445; 11/17/03  
resident; 3 CSR 10-5.345; 11/17/03  
squirrels; 3 CSR 10-7.425; 11/17/03  
taxidermy; 3 CSR 10-10.767; 11/17/03  
turkey; 3 CSR 10-7.455; 6/16/03, 9/2/03, 12/1/03  
resident hunting permit; 3 CSR 10-5.365; 11/17/03  
seasons; 3 CSR 10-7.455; 11/17/03  
use of traps; 3 CSR 10-8.510; 11/17/03;  
3 CSR 10-8.505; 12/1/03  
waterfowl hunting; 3 CSR 10-11.186; 6/16/03, 9/2/03  
wildlife confinement standards; 3 CSR 10-9.220; 12/15/03  
youth deer and turkey hunting permit; 3 CSR 10-5.420; 11/17/03

#### CONTROLLED SUBSTANCES

definitions; 19 CSR 30-1.011; 3/3/03, 6/16/03  
dispensing and distribution; 19 CSR 30-1.040; 3/3/03, 6/16/03  
registration  
changes; 19 CSR 30-1.023; 3/3/03, 6/16/03  
fees; 19 CSR 30-1.015; 3/3/03, 6/16/03

location; 19 CSR 30-1.019; 3/3/03, 6/16/03  
process; 19 CSR 30-1.017; 3/3/03, 6/16/03  
schedules of controlled substances; 19 CSR 30-1.002; 3/3/03,  
6/16/03  
security for practitioners; 19 CSR 30-1.034; 3/3/03, 6/16/03

#### COSMETOLOGY, STATE BOARD OF

apprentices; 4 CSR 90-5.010; 12/1/03  
fees; 4 CSR 90-13.010; 12/1/03  
license, reinstatement; 4 CSR 90-12.070; 12/1/03  
reciprocity; 4 CSR 90-7.010; 12/1/03  
registration, instructor trainees; 4 CSR 90-12.020; 12/1/03  
requirements; 4 CSR 90-13.050; 12/1/03  
sanitation; 4 CSR 90-11.010; 12/1/03  
students; 4 CSR 90-3.010; 12/1/03  
training hours; 4 CSR 90-8.010; 12/1/03  
violations; 4 CSR 90-10.010; 12/1/03

#### CREDIT UNIONS, DIVISION OF

fiscal and financial services; 4 CSR 100-2.080; 7/15/03, 11/3/03

#### DEAF AND HARD OF HEARING, MISSOURI COMMISSION FOR THE

application; 5 CSR 100-200.050; 12/15/03  
certification  
maintenance; 5 CSR 100-200.130; 12/15/03  
renewal; 5 CSR 100-200.125; 12/15/03  
restricted; 5 CSR 100-200.040; 12/15/03  
system; 5 CSR 100-200.030; 12/15/03  
conversion procedures; 5 CSR 100-200.100; 12/15/03  
fees; 5 CSR 100-200.150; 12/15/03  
grievance procedure, appeal rights; 5 CSR 100-200.180; 12/15/03  
name and address change; 5 CSR 100-200.140; 12/15/03  
organization; 5 CSR 100-200.010; 12/15/03  
performance test, evaluation; 5 CSR 100-200.070; 12/15/03  
provisional restricted certification; 5 CSR 100-200.045; 9/15/03  
reinstatement; 5 CSR 100-200.210; 12/15/03  
skill level standards; 5 CSR 100-200.170; 12/15/03  
voluntary recertification; 5 CSR 100-200.075; 12/15/03  
written test; 5 CSR 100-200.060; 12/15/03

#### DIETITIANS, STATE COMMITTEE OF

fees; 4 CSR 115-1.040; 7/15/03, 11/17/03

#### DISEASES

blood-borne pathogen standard; 19 CSR 20-20.092; 4/15/03,  
8/1/03  
duties of laboratories; 19 CSR 20-20.080; 4/15/03, 8/1/03  
testing, contagious or infectious diseases; 19 CSR 20-20.091;  
4/15/03, 8/1/03

#### DRIVERS LICENSE BUREAU RULES

classes; 12 CSR 10-24.200; 11/17/03  
commercial driver instruction permit; 12 CSR 10-24.390; 8/1/03,  
11/17/03  
complaints; 12 CSR 10-26.120; 10/1/03  
driver license; 12 CSR 10-24.430; 10/1/03  
DWI rehabilitation program; 12 CSR 10-24.040; 11/17/03  
expiration dates, staggering; 12 CSR 10-24.450; 11/17/03  
reissuance of license; 12 CSR 10-24.140; 3/3/03, 8/1/03  
school bus permits; 12 CSR 10-24.385; 8/1/03, 11/17/03  
vision test guidelines; 12 CSR 10-24.090; 10/1/03

#### ELEMENTARY AND SECONDARY EDUCATION

A+ schools program; 5 CSR 50-350.040; 4/1/03, 8/1/03  
academically deficient schools; 5 CSR 50-340.110; 6/2/03, 10/1/03  
application, certificate to teach; 5 CSR 80-800.200; 10/15/03  
administrators; 5 CSR 80-800.220; 10/15/03  
adult education, literacy; 5 CSR 80-800.280; 10/15/03  
classifications; 5 CSR 80-800.360; 10/15/03  
content areas; 5 CSR 80-800.350; 10/15/03

discipline and denial; 5 CSR 80-800.300; 10/15/03  
 student services; 5 CSR 80-800.230; 10/15/03  
 substitute; 5 CSR 80-800.290; 10/15/03  
 temporary authorization; 5 CSR 80-800.260; 10/15/03  
 assessments, required; 5 CSR 80-800.380; 10/15/03  
 background clearance; 5 CSR 80-800.400; 10/15/03  
 federal programs; 5 CSR 30-4.010; 2/18/03, 7/1/03  
 fees; 5 CSR 80-800.370; 10/15/03  
 Improving America's Schools Act; 5 CSR 50-350.015; 6/2/03,  
 10/1/03  
 incentives, school excellence program; 5 CSR 50-310.010; 6/2/03,  
 10/1/03  
 information reported by school districts; 5 CSR 50-340.200;  
 6/2/03, 10/1/03  
 new schools pilot project; 5 CSR 50-370.010; 6/2/03, 10/1/03  
 persistently dangerous schools; 5 CSR 50-355.100; 2/18/03, 7/1/03  
 personal care assistance program  
   definitions; 5 CSR 90-7.010; 10/15/03  
   eligibility; 5 CSR 90-7.100; 10/15/03  
   hearings; 5 CSR 90-7.320; 10/15/03  
   providers; 5 CSR 90-7.200; 10/15/03  
 pupil/teacher ratio; 5 CSR 50-360.010; 6/2/03, 10/1/03  
 reimbursement, panel members; 5 CSR 70-742.160; 6/2/03,  
 10/1/03  
 school buses, operation; 5 CSR 30-261.010; 7/1/03, 11/17/03  
   standards for approval of courses; 5 CSR 60-900.050;  
   6/16/03, 11/17/03  
 vocational education; 5 CSR 60-120.020; 7/1/03, 11/17/03  
 vocational rehabilitation  
   due process hearing; 5 CSR 90-4.420; 5/1/03, 9/15/03  
   fees; 5 CSR 90-5.410; 5/1/03, 9/15/03  
   home modification, remodeling; 5 CSR 90-5.450; 9/16/02  
   informal review; 5 CSR 90-4.410; 5/1/03, 9/15/03  
   maintenance, transportation; 5 CSR 90-5.420; 9/16/02,  
   5/1/03, 9/15/03  
   mediation; 5 CSR 90-4.430; 9/16/02  
   state plan; 5 CSR 60-120.010; 9/16/02  
   training; 5 CSR 90-5.440; 5/1/03, 9/15/03

#### **ELEVATORS**

fees, penalties; 11 CSR 40-5.110; 10/15/02, 4/1/03, 7/1/03

#### **ENERGY ASSISTANCE**

low income program; 13 CSR 40-19.020; 11/3/03

#### **EXECUTIVE ORDERS**

two-way radios, interoperability channels; 03-20; 1/2/04  
 Children's Division; 03-03; 2/18/03  
 Citizen's Advisory Committee on Corrections; 03-11; 5/15/03  
 committee to end chronic homelessness; 03-17; 11/3/03  
 Communications Committee, Public Safety; 03-19; 1/2/04  
 cyber security policies and procedures; 03-25; 1/2/04  
 disaster areas due to May 4 tornadoes; 03-12; 5/15/03  
 Energy Policy Council; 03-10; 4/1/03  
 Family Support, Division of; 03-02; 2/18/03  
 Future of Higher Education, Commission on the; 03-07; 4/1/03  
 Highway Safety, Division of; 03-05; 2/18/03  
 Hispanic Affairs, Commission on; 03-24; 12/15/03  
 holiday schedule, state offices; 03-21; 11/17/03  
 Information Technology, Office of; 03-26; 1/2/04  
 Lewis and Clark; 03-01; 2/18/03  
 Minority Business Advocacy Commission; 03-06; 2/18/03  
 National Guard to assist areas; 03-13; 5/15/03  
 Patient Safety, Commission on; 03-16; 10/15/03  
 Sexual Offender Registration Task Force; 03-22; 1/2/04  
 small business regulatory fairness board; 03-15; 10/1/03  
 State Citizen Council added to the Disaster Recovery Partnership;  
 03-23; 1/2/04  
 state communications, Mo Highway Patrol as lead agency;  
 03-18; 1/2/04  
 suspends environmental rules; 03-14; 5/15/03

supervisory authority; 03-09; 4/1/03  
 supervisory authority; 03-08; 9/15/03  
 Use of Missouri products and services; 03-27; 12/15/03  
 Workforce Development, Division of; 03-04; 2/18/03

#### **FACILITIES MANAGEMENT, DIVISION OF**

leasing, administration; 1 CSR 35-2.030; 11/17/03  
 public use of state facilities; 1 CSR 35-1.050; 11/17/03

#### **FAMILY SERVICES, DIVISION OF**

grandparents as foster parents; 13 CSR 40-2.380; 8/15/03  
 temporary assistance, aliens; 13 CSR 40-2.310; 8/15/03

#### **FINANCE, DIVISION OF**

key man insurance; 4 CSR 140-2.055; 2/18/03, 7/1/03  
 loan companies, small  
   licensing; 4 CSR 140-11.010; 2/18/03, 7/1/03  
   record keeping; 4 CSR 140-11.020; 2/18/03, 7/1/03  
 preservation of records; 4 CSR 140-2.140; 2/18/03, 7/1/03  
 section 500 companies  
   licensing; 4 CSR 140-11.030; 2/18/03, 7/1/03  
   record keeping; 4 CSR 140-11.040; 2/18/03, 7/1/03

#### **GAMING COMMISSION, MISSOURI**

disciplinary action; 11 CSR 45-13.050; 8/1/03, 1/2/04  
 hearings; 11 CSR 45-13.010; 8/1/03, 1/2/04  
   bingo hearings; 11 CSR 45-13.051; 8/1/03, 1/2/04  
   gaming applicants; 11 CSR 45-13.045; 8/1/03, 1/2/04  
   officer; 11 CSR 45-13.020; 8/1/03, 1/2/04  
   proceedings; 11 CSR 45-13.060; 8/1/03, 1/2/04  
   prohibition on ex parte communications; 11 CSR 45-13.080;  
   8/1/03, 1/2/04  
   request for hearings; 11 CSR 45-13.030; 8/1/03, 1/2/04  
   transmittal of record; 11 CSR 45-13.070; 8/1/03, 1/2/04  
 minimum internal control standards; 11 CSR 45-9.030; 6/16/03,  
 12/1/03  
 misconduct, duty to report and prevent; 11 CSR 45-10.030; 4/1/03,  
 8/15/03  
 occupational license; 11 CSR 45-4.260; 1/2/03  
 records; 11 CSR 45-3.010; 3/3/03, 7/15/03  
 slot machines; 11 CSR 45-5.200; 3/3/03, 7/15/03  
 weapons on the riverboat; 11 CSR 45-6.030; 12/15/03

#### **GEOLOGIST REGISTRATION, MISSOURI BOARD OF**

application; 4 CSR 145-1.030; 5/1/03, 8/15/03  
 post-baccalaureate experience; 4 CSR 145-2.030; 5/1/03, 8/15/03  
 seal, registered; 4 CSR 145-2.100; 5/1/03, 8/15/03

#### **HAZARDOUS WASTE MANAGEMENT COMMISSION**

fees and taxes; 10 CSR 25-12.010; 5/1/03, 11/3/03

#### **HEALING ARTS, BOARD OF REGISTRATION FOR**

fees, 4 CSR 150-2.080; 9/2/03, 12/15/03

#### **HEALTH MAINTENANCE ORGANIZATIONS**

definitions; 19 CSR 10-5.010; 10/15/03

#### **HEARING INSTRUMENT SPECIALISTS**

license renewal; 4 CSR 165-2.060; 5/1/03, 8/15/03  
 licensure by exam; 4 CSR 165-2.030; 5/1/03, 8/15/03  
 temporary permits; 4 CSR 165-2.010; 5/1/03, 8/15/03

#### **HIGHER EDUCATION, DEPARTMENT OF**

community junior college districts; 6 CSR 10-6.010; 5/15/03,  
 9/2/03

#### **HIGHWAYS AND TRANSPORTATION COMMISSION**

arbitration proceeding; 7 CSR 10-26.010; 12/15/03  
 mediation; 7 CSR 10-26.020; 12/15/03



motor carriers operations  
skill performance certificates; 7 CSR 10-25.010; 7/1/03,  
11/17/03  
outdoor advertising  
beyond 600 feet of right-of-way; 7 CSR 10-6.050; 5/15/03,  
10/15/03  
definitions; 7 CSR 10-6.015; 5/15/03, 10/15/03  
information; 7 CSR 10-6.010; 5/15/03, 10/15/03  
judicial review; 7 CSR 10-6.100; 5/15/03, 10/15/03  
permits; 7 CSR 10-6.070; 5/15/03, 10/15/03  
removal; 7 CSR 10-6.080; 5/15/03, 10/15/03  
review of notices; 7 CSR 10-6.090; 5/15/03, 10/15/03  
signs  
directional; 7 CSR 10-6.020; 5/15/03, 10/15/03  
nonconforming; 7 CSR 10-6.060; 5/15/03, 10/15/03  
on-premises; 7 CSR 10-6.030; 5/15/03, 10/15/03  
vegetation, cutting and trimming; 7 CSR 10-6.085; 5/15/03,  
10/15/03  
zoned areas; 7 CSR 10-6.040; 5/15/03, 10/15/03  
traffic generators; 7 CSR 10-17.010; 9/15/03  
utility and private line utility facilities  
relocation costs; 7 CSR 10-3.040; 7/1/03, 11/17/03

#### HOME HEALTH AGENCY

hiring restrictions; 19 CSR 30-82.060; 11/17/03

#### HOSPITAL AND AMBULATORY SURGICAL CENTERS

electronic reporting of patient abstract data; 19 CSR 10-33.040;  
7/15/03, 11/17/03

#### IMMUNIZATIONS

school children; 19 CSR 20-28.010; 11/3/03

#### INSURANCE, DEPARTMENT OF

commercial inland marine; 20 CSR 500-1.210; 12/2/02, 6/2/03  
continuing education; 20 CSR 700-3.200; 10/1/03  
financial statement, diskette filing; 20 CSR 200-1.030; 10/1/03  
interpretation of referenced or adopted material;  
20 CSR 10-1.020; 11/3/03  
long-term care; 20 CSR 400-4.100; 4/15/03, 11/3/03  
market conduct examinations; 20 CSR 300-2.200; 6/16/03  
medical malpractice award; 20 CSR; 3/1/01, 3/1/02, 3/3/03  
mortgage guaranty, definitions; 20 CSR 500-10.100; 12/2/02,  
6/2/03  
provider selection standards; 20 CSR 400-7.200; 10/1/03  
records, market conduct exam; 20 CSR 300-2.200; 3/3/03, 6/16/03  
settlements, standards; 20 CSR 100-1.060; 12/16/02  
sovereign immunity limits; 20 CSR; 1/2/02, 12/16/02, 12/15/03  
who must file; 20 CSR 200-10.100; 10/1/03  
workers' compensation; 20 CSR 500-6.960; 12/2/02; 6/2/03  
valuation of invested assets; 20 CSR 200-1.025; 10/1/03

#### INTERPRETERS, STATE COMMITTEE OF

principles, general; 4 CSR 232-3.010; 10/15/03

#### LABORATORIES

HIV testing; 19 CSR 25-33.010; 12/1/03  
syphilis testing; 19 CSR 25-34.010; 12/1/03

#### LABOR STANDARDS, DIVISION OF

definitions; 8 CSR 30-4.010; 11/17/03  
organization; 8 CSR 30-1.010; 11/17/03  
wage rates; 8 CSR 30-4.020; 11/17/03

#### LAND SURVEY

surveys, standards for property boundary  
accuracy standards for property boundaries; 10 CSR 30-  
2.040; 5/1/03, 9/2/03  
condominium surveys; 10 CSR 30-2.100; 5/1/03, 9/2/03  
definitions; 10 CSR 30-2.020; 5/1/03, 9/2/03

land surveying requirements; 10 CSR 30-2.030; 5/1/03,  
9/2/03  
monumentation, approved; 10 CSR 30-2.060; 5/1/03, 9/2/03  
original surveys; 10 CSR 30-2.080; 5/1/03, 9/2/03  
resurveys; 10 CSR 30-2.070; 5/1/03, 9/2/03  
subdivision surveys; 10 CSR 30-2.090; 5/1/03, 9/2/03

#### LEAD PROGRAM

lead poisoning; 19 CSR 20-8.030; 3/3/03, 6/16/03

#### LIBRARY, STATE

computers, public access, filtering; 15 CSR 30-200.030; 12/2/02,  
3/17/03

#### LONG-TERM CARE, NURSING FACILITIES

administration, resident care requirements  
intermediate care, skill nursing facilities; 19 CSR 30-85.042;  
10/15/03  
residential care facilities I and II; 19 CSR 30-86.042;  
10/15/03  
definitions; 19 CSR 30-83.010; 10/15/03  
nursing facility quality of care improvement program;  
19 CSR 30-82.080; 10/15/03  
receiverships; 19 CSR 30-82.015; 10/15/03

#### MARKET DEVELOPMENT

subscription fees; 2 CSR 10-2.010; 12/1/03

#### MASSAGE, BOARD OF THERAPEUTIC

application; 4 CSR 197-2.010; 1/2/04  
fees; 4 CSR 197-1.040; 1/2/04  
inspections, survey; 4 CSR 197-5.010; 1/2/04  
license, business  
issuance of an original; 4 CSR 197-5.020; 1/2/04  
renewal; 4 CSR 197-5.040; 1/2/04  
license, individual  
provisional; 4 CSR 197-2.030; 1/2/04  
renewal; 4 CSR 197-2.050; 1/2/04  
name and address changes  
business; 4 CSR 197-5.030; 1/2/04  
individual; 4 CSR 197-1.030; 1/2/04  
standards of practice; 4 CSR 197-3.010; 1/2/04

#### MEDICAID

dental program; 13 CSR 70-35.010; 7/15/02, 8/15/02, 1/2/03,  
3/3/03  
federal reimbursement allowance; 13 CSR 70-15.110; 6/2/03,  
10/1/03, 10/15/03  
optical care benefits; 13 CSR 70-40.010; 3/3/03, 4/1/03, 9/2/03  
recipient payments; 13 CSR 70-4.040; 6/2/03, 10/1/03  
specialty hospitals; 13 CSR 70-15.010; 3/17/03, 7/1/03

#### MEDICAL SERVICES, DIVISION OF

documentation, social work programs; 13 CSR 70-98.015;  
12/15/03  
hospital services provided out-of-state; 13 CSR 70-15.180;  
12/15/03  
limitation on payment out-of-state; 13 CSR 70-3.120; 12/15/03  
payment of claims, Medicare Part B; 13 CSR 70-3.065; 2/18/03  
privacy, information; 13 CSR 70-1.020; 3/3/03, 8/1/03  
psychiatric/psychology/counseling/clinical social work program;  
13 CSR 70-98.010; 6/16/03  
reimbursement, nursing services; 13 CSR 70-10.015; 11/3/03,  
11/17/03  
allowance; 13 CSR 70-10.110; 11/3/03, 11/17/03  
HIV services; 13 CSR 70-10.080; 11/3/03, 11/17/03  
Title XIX recipient lock-in program; 13 CSR 70-4.070; 9/2/03,  
1/2/04

**MENTAL HEALTH, DEPARTMENT OF**

alcohol and drug abuse programs  
 certification; 9 CSR 30-3.032; 5/1/03, 9/2/03  
 opioid treatment program; 9 CSR 30-3.132; 8/1/03, 11/17/03  
 background screening, employees, volunteers; 9 CSR 10-5.190;  
 12/1/03  
 certification; 9 CSR 10-7.130; 4/1/03, 8/15/03  
 complaints of abuse, neglect; 9 CSR 10-5.200; 10/15/02, 6/16/03,  
 11/17/03  
 exceptions committee procedures; 9 CSR 10-5.210; 12/1/03  
 fire safety  
 definitions; 9 CSR 45-5.105; 10/15/03  
 on-site day habilitation; 9 CSR 45-5.110; 10/15/03  
 residential habilitation for  
 4-9 people; 9 CSR 45-5.130; 10/15/03  
 10-16 people; 9 CSR 45-5.140; 10/15/03  
 17 or more people; 9 CSR 45-5.150; 10/15/03  
 fiscal management  
 definitions; 9 CSR 25-2.005; 8/1/03, 11/17/03  
 purchasing client services; 9 CSR 25-2.105; 8/1/03, 11/17/03  
 request for proposal  
 development; 9 CSR 25-2.205; 8/1/03, 11/17/03  
 evaluation and award; 9 CSR 25-2.405; 8/1/03, 11/17/03  
 solicitation procedures; 9 CSR 25-2.305; 8/1/03,  
 11/17/03  
 mental retardation and developmental disabilities  
 certification; 9 CSR 45-5.060; 5/1/03, 9/2/03  
 psychiatric and substance abuse programs  
 governing authority and administration; 9 CSR 10-7.090;  
 5/1/03, 9/2/03  
 Privacy Rule; 9 CSR 10-5.220; 5/1/03, 9/2/03  
 purchasing client services; 9 CSR 25-2.105; 11/1/02, 4/1/03  
 rules under consideration; 9 CSR 45-5; 7/15/03  
 SATOP  
 fees, supplemental; 9 CSR 30-3.208; 9/2/03  
 program structure; 9 CSR 30-3.206; 9/2/03

**MILK BOARD, STATE**

inspection fees; 2 CSR 80-5.010; 4/1/03, 7/15/03

**MOTOR VEHICLE**

application for title; 12 CSR 10-23.436; 8/1/03, 9/2/03, 11/17/03  
 dealer monthly reports; 12 CSR 10-23.050, 12 CSR 10-26.190;  
 8/1/03, 11/17/03  
 disabled person placard, issuance; 12 CSR 10-23.460; 12/15/03  
 documents accepted as a release of lien; 12 CSR 10-23.458;  
 8/1/03, 11/17/03  
 historic vehicle license; 12 CSR 10-23.444; 8/1/03, 11/17/03  
 leasing company registration; 12 CSR 10-23.424; 11/17/03  
 marking, use of commercial plates; 12 CSR 10-23.300; 8/1/03,  
 11/17/03  
 marine application; 12 CSR 10-23.456; 7/1/03, 11/3/03  
 notice of lien; 12 CSR 10-23.446; 5/15/03  
 power of attorney requirements; 12 CSR 10-23.420; 8/1/03,  
 11/17/03  
 recreational vehicles, certificate of title, 2 manufacturers;  
 12 CSR 10-23.370; 8/1/03, 11/17/03  
 registration, motorcycles, motortricycles; 12 CSR 10-23.330;  
 8/1/03, 11/17/03  
 temporary permits; 12 CSR 10-26.180; 6/16/03, 10/15/03

**MOTOR VEHICLE INSPECTION**

brake components; 11 CSR 50-2.160; 10/15/03  
 definitions; 11 CSR 50-2.010; 10/15/03  
 glazing (glass); 11 CSR 50-2.270; 10/15/03  
 homemade trailers; 11 CSR 50-2.430; 4/1/03, 7/1/03  
 inspection station  
 permits; 11 CSR 50-2.050; 10/15/03  
 requirements; 11 CSR 50-2.020; 10/15/03  
 off-highway use vehicles (ATV-OHV); 11 CSR 50-2.340; 10/15/03

school bus inspection; 11 CSR 50-2.320; 10/15/03  
 steering mechanisms; 11 CSR 50-2.200; 10/15/03  
 vehicle identification, odometer reading; 11 CSR 50-2.440;  
 4/1/03, 7/1/03

**NEWBORN SCREENING HEARING PROGRAM**

methodologies and procedures; 19 CSR 40-9.020; 3/3/03, 6/16/03

**NURSING HOME ADMINISTRATORS, BOARD OF**

complaints, public; 19 CSR 73-2.085; 3/3/03, 7/1/03  
 course of instruction; 19 CSR 73-2.031; 3/3/03, 7/1/03  
 disciplinary action; 19 CSR 73-2.090; 3/3/03, 7/1/03  
 fees; 19 CSR 73-2.015; 3/3/03, 7/1/03  
 licensure; 19 CSR 73-2.020; 3/3/03, 7/1/03  
 by reciprocity; 19 CSR 73-2.025; 3/3/03, 7/1/03  
 organization; 19 CSR 73-1.010; 3/3/03, 7/1/03  
 renewal of license; 19 CSR 73-2.050; 3/3/03, 7/1/03  
 expired; 19 CSR 73-2.055; 3/3/03, 7/1/03  
 standards of professional conduct; 19 CSR 73-2.095; 3/3/03,  
 7/1/03  
 status, retired licensure; 19 CSR 73-2.051; 3/3/03, 7/1/03  
 temporary emergency license; 19 CSR 73-2.080; 3/3/03, 7/1/03  
 training agencies, registration; 19 CSR 73-2.060; 3/3/03, 7/1/03

**NURSING, STATE BOARD OF**

advanced practice nurse; 4 CSR 200-4.100; 7/15/03, 11/17/03  
 fees; 4 CSR 200-4.010; 3/17/03, 7/1/03  
 graduate temporary permit; 4 CSR 200-4.021; 7/15/03, 11/17/03

**ORGANIC PROGRAM**

advisory board; 2 CSR 70-16.020; 2/18/03, 7/1/03  
 certificates issued; 2 CSR 70-16.050; 2/18/03, 7/1/03  
 certifying agent; 2 CSR 70-16.075; 2/18/03, 7/1/03  
 complaints, investigations; 2 CSR 70-16.040; 2/18/03, 7/1/03  
 compliance enforcement; 2 CSR 70-16.045; 2/18/03, 7/1/03  
 definitions; 2 CSR 70-16.010; 2/18/03, 7/1/03  
 inspections, sampling  
 certification; 2 CSR 70-16.035; 2/18/03, 7/1/03  
 registration; 2 CSR 70-16.065; 2/18/03, 7/1/03  
 marketing; 2 CSR 70-16.070; 2/18/03, 7/1/03  
 NOP standards; 2 CSR 70-16.015; 2/18/03, 7/1/03  
 procedures, certification; 2 CSR 70-16.025; 2/18/03, 7/1/03  
 records; 2 CSR 70-16.030; 2/18/03, 7/1/03  
 registration; 2 CSR 70-16.060; 2/18/03, 7/1/03  
 seal; 2 CSR 70-16.055; 2/18/03, 7/1/03

**PAYROLL DEDUCTIONS, STATE OF MISSOURI, VENDOR**

dues, labor organizations; 1 CSR 10-4.010; 9/15/03

**PEACE OFFICER STANDARDS AND TRAINING (POST) PROGRAM**

basic training curricula, objectives; 11 CSR 75-14.030; 6/2/03,  
 9/15/03  
 cause to discipline; 11 CSR 75-13.090; 10/15/03  
 instructors  
 basic requirements; 11 CSR 75-14.080; 6/2/03, 9/15/03  
 peace officer licenses  
 classification; 11 CSR 75-13.010; 6/2/03, 9/15/03  
 notification of change in status; 11 CSR 75-13.100; 6/3/02,  
 9/3/02

**PERSONNEL ADVISORY BOARD**

broad classification for bands of managers; 1 CSR 20-2.015;  
 9/15/03  
 leaves of absence; 1 CSR 20-5.020; 9/15/03  
 separation, suspension, demotion; 1 CSR 20-3.070; 9/15/03

**PETROLEUM STORAGE TANK INSURANCE FUND**

assessment, transport load fee; 10 CSR 100-3.010; 12/1/03  
 definitions; 10 CSR 100-2.010; 12/1/03

participation requirements

aboveground tanks; 10 CSR 100-4.020; 12/1/03  
underground tanks; 10 CSR 100-4.010; 12/1/03

**PHARMACY PROGRAM**

reimbursement allowance; 13 CSR 70-20.320; 3/3/03, 7/1/03,  
12/1/03  
sterile pharmaceuticals; 4 CSR 220-2.200; 1/2/03, 6/16/03

**PHARMACY, STATE BOARD OF**

automated dispensing, storage system; 4 CSR 220-2.900; 3/17/03,  
8/15/03  
compounding standards; 4 CSR 220-2.400; 1/2/03, 6/16/03  
drug distributor; 4 CSR 220-5.020; 7/1/03, 12/1/03  
drug repackaging; 4 CSR 220-2.130; 3/3/03, 7/1/03  
standards of operation; 4 CSR 220-2.010; 8/1/02, 3/17/03, 8/15/03  
sterile pharmaceuticals; 4 CSR 220-2.200; 1/2/03, 6/16/03

**PHYSICAL THERAPISTS/ASSISTANTS**

fees; 4 CSR 150-3.080; 7/15/03, 11/17/03  
licensure fees; 4 CSR 150-3.170; 7/15/03, 11/17/03

**PROFESSIONAL REGISTRATION, DIVISION OF**

designation of license renewal dates; 4 CSR 231-2.010; 7/15/03,  
11/17/03

**PSYCHOLOGISTS, STATE COMMITTEE OF**

fees; 4 CSR 235-1.020; 3/17/03, 7/1/03

**PUBLIC DRINKING WATER PROGRAM**

abatement orders; 10 CSR 60-6.050; 4/15/03, 10/15/03  
analysis, procedures; 10 CSR 60-5.010; 5/15/03, 12/1/03  
contaminant levels  
disinfection by-products; 10 CSR 60-4.090; 4/15/03, 10/15/03  
inorganic chemicals; 10 CSR 60-4.030; 4/15/03, 10/15/03  
maximum; 10 CSR 60-4.010; 5/15/03, 12/1/03  
microbiological; 10 CSR 60-4.020; 4/15/03, 10/15/03  
secondary; 10 CSR 60-4.070; 4/15/03, 10/15/03  
synthetic organic chemicals; 10 CSR 60-4.040; 4/15/03,  
10/15/03  
turbidity and backwash recycling; 10 CSR 60-4.050; 4/15/03,  
10/15/03  
volatile organic chemicals; 10 CSR 60-4.100; 4/15/03,  
10/15/03  
definitions; 10 CSR 60-2.015; 4/15/03, 10/15/03  
disinfection requirements; 10 CSR 60-4.055; 4/15/03, 10/15/03  
notification, public; 10 CSR 60-8.010; 4/15/03, 10/15/03  
records, requirements for maintaining; 10 CSR 60-9.010; 4/15/03,  
10/15/03  
reporting requirements; 10 CSR 60-7.010; 4/15/03, 10/15/03  
reports, consumer confidence; 10 CSR 60-8.030; 4/15/03,  
10/15/03

**PUBLIC SERVICE COMMISSION**

billing practices  
definitions; 4 CSR 240-13.015; 12/1/03  
denial of service; 4 CSR 240-13.035; 12/1/03  
caller ID blocking service  
definitions; 4 CSR 240-32.180; 11/3/03, 12/15/03  
standards; 4 CSR 240-32.190; 11/3/03, 12/15/03  
discontinuance of service; 4 CSR 240-33.070; 12/2/02, 6/2/03  
electric utilities  
annual report; 4 CSR 240-3.165; 12/15/03  
cogeneration tariff filings; 4 CSR 240-3.155; 9/2/03  
cold weather report, submission; 4 CSR 240-3.180; 9/16/02,  
3/3/03, 6/2/03, 11/3/03  
net metering; 4 CSR 240-20.065; 4/15/03, 7/15/03  
reporting requirements; 4 CSR 240-3.190; 11/17/03  
gas utilities  
annual report; 4 CSR 240-3.245; 12/15/03

cold weather report, submission; 4 CSR 240-3.250; 9/16/02,  
3/3/03, 6/2/03, 11/3/03  
natural gas price volatility mitigation; 4 CSR 240-40.018;  
6/2/03, 11/3/03  
petitions for infrastructure system replacement surcharges;  
4 CSR 240-3.265; 11/3/03

manufactured homes

inspection fee; 4 CSR 240-120.140; 2/18/03, 3/17/03,  
6/16/03  
modular units; 4 CSR 240-123.095; 6/2/03, 8/15/03  
new; 4 CSR 240-120.085; 6/2/03, 8/15/03  
pre-owned; 4 CSR 240-121.065; 6/2/03, 8/15/03  
seals; 4 CSR 240-123.030; 2/18/03, 6/16/03

Missouri Universal Service Fund

assessments for funding; 4 CSR 240-31.060; 12/2/02, 6/2/03  
collection of surcharge from end-user subscribers; 4 CSR  
240-31.065; 12/2/02, 6/2/03  
definitions; 4 CSR 240-31.010; 12/2/02, 6/2/03  
eligibility for funding; 4 CSR 240-31.050; 12/2/02, 6/2/03  
safety standards; 4 CSR 240-18.010; 11/17/03

sewer utilities

annual report; 4 CSR 240-3.335; 12/15/03

steam heating

annual report; 4 CSR 240-3.435; 12/15/03  
rate case procedure; 4 CSR 240-3.440; 11/3/03

telecommunication companies

annual report; 4 CSR 240-3.540; 12/15/03  
definitions; 4 CSR 240-3.500, 4 CSR 240-32.020; 12/1/03  
engineering, maintenance; 4 CSR 240-32.060; 12/1/03  
quality of service; 4 CSR 240-32.070; 12/1/03  
records, reports; 4 CSR 240-3.550; 12/1/03  
service, surveillance; 4 CSR 240-32.080; 12/1/03

water utilities

annual report; 4 CSR 240-3.640; 12/15/03  
petitions for infrastructure system replacement surcharges;  
4 CSR 240-3.650; 11/3/03

**REAL ESTATE COMMISSION**

brokerage

relationship confirmation; 4 CSR 250-8.096; 12/1/03  
service agreements; 4 CSR 250-8.090; 12/1/03  
broker disclosure form; 4 CSR 250-8.097; 12/1/03  
license examinations; 4 CSR 250-3.020; 10/15/03  
requirements; 4 CSR 250-10.010; 10/15/03  
retention of records; 4 CSR 250-8.160; 10/15/03

**RECORDS MANAGEMENT**

administration; 15 CSR 30-45.030; 3/3/03, 6/16/03  
MHRAB regrant program; 15 CSR 30-45.040; 11/17/03

**RETIREMENT SYSTEMS**

county employees' deferred compensation plan

limitations on deferral; 16 CSR 50-20.050; 10/1/03  
participation in the plan; 16 CSR 50-20.030; 10/1/03

county employees' defined contribution plan

benefits, normal retirement; 16 CSR 50-2.090; 1/16/03,  
5/1/03

employee contributions; 16 CSR 50-2.020; 1/16/03, 5/1/03

normal retirement benefit; 16 CSR 50-2.090; 6/2/03, 9/15/03

payment of benefits; 16 CSR 50-2.035; 6/2/03, 9/15/03

non-teacher school employee retirement

employment; 16 CSR 10-6.010; 10/1/03

reinstatement, credit purchases; 16 CSR 10-6.045; 10/1/03

service retirement; 16 CSR 10-6.060; 10/1/03

organization; 16 CSR 10-1.010; 3/17/03, 7/1/03

public school retirement

membership requirements; 16 CSR 10-4.005; 10/1/03

payment for reinstatement, credit purchases;

16 CSR 10-4.012; 10/1/03



reinstatement, credit purchases; 16 CSR 10-4.014; 10/1/03  
 service retirement; 16 CSR 10-5.010; 10/1/03

## SECRETARY OF STATE

### business services

redaction of Social Security numbers and birth dates;  
 15 CSR 30-80.010; 5/15/03, 9/2/03

organization; 15 CSR 30-1.010; 11/17/03

## SECURITIES, DIVISION OF

### application

renewal, sales representative; 15 CSR 30-59.060; 3/17/03,  
 7/15/03

registration; 15 CSR 30-52.015; 10/1/03

registration or notice filings; 15 CSR 30-51.020; 3/17/03,  
 7/15/03, 10/1/03

bank, savings institution, trust company; 15 CSR 30-54.030;  
 10/1/03

bonds, broker-dealer, sales representative; 15 CSR 30-59.050;  
 3/17/03, 7/15/03

### compensation arrangements

investment advisors; 15 CSR 30-51.145; 10/1/03

completion; 15 CSR 30-52.310; 10/1/02, 1/16/03, 2/18/03

confirmations; 15 CSR 51.110; 10/1/03

custody of securities or funds; 15 CSR 30-51.100; 10/1/03

debt securities; 15 CSR 30-52.120; 10/1/03

definitions; 15 CSR 30-50.010; 10/1/03

examination requirements; 15 CSR 30-51.030; 10/1/03

### exemptions

15 transactions in 12 months; 15 CSR 30-54.140; 10/1/03

accredited investor; 15 CSR 30-54.215; 10/1/03

agricultural cooperative association; 15 CSR 30-54.190;  
 10/1/03

Canadian-U.S. cross-border trading; 15 CSR 30-54.290;  
 10/1/03

first 25 persons; 15 CSR 30-54.130; 10/1/03

foreign issuer; 15 CSR 30-54.260; 10/1/03

general; 15 CSR 30-54.010; 3/17/03, 7/15/03

institutional buyer; 15 CSR 30-54.125; 10/1/03

limited offering; 15 CSR 30-54.130; 10/1/03

manual; 15 CSR 30-54.100; 10/1/03

Missouri issuer; 15 CSR 30-54.240; 11/17/03

Missouri qualified fund; 15 CSR 30-54.250; 10/1/03

mortgage note; 15 CSR 30-54.120; 10/1/03

new generation processing entity; 15 CSR 30-54.190;  
 10/1/03

notice filing for transactions under Regulation D;

15 CSR 30-54.210; 10/1/03

not-for-profit securities; 15 CSR 30-54.070; 3/17/03, 7/15/03

offers to existing security holders; 15 CSR 30-54.160; 10/1/03

preeffective offer; 15 CSR 30-54.170; 10/1/03

reporting company securities; 15 CSR 30-54.183; 10/1/03

stock exchange listed securities; 15 CSR 30-54.060; 3/17/03,  
 7/15/03

tax credit; 15 CSR 30-54.280; 11/17/03

transactions, quotation systems; 15 CSR 30-54.220; 3/17/03,  
 7/15/03, 10/1/03

transactions, Regulation D; 15 CSR 30-54.210; 3/17/03,  
 7/15/03

unit investment trust units; 15 CSR 30-54.230; 11/17/03

unsolicited order to buy; 15 CSR 30-54.110; 10/1/03

fees; 15 CSR 30-50.030; 10/1/03

financial statements; 15 CSR 30-51.040, 15 CSR 30-52.025;  
 10/1/03

forms; 15 CSR 30-50.040; 10/1/03

### fraudulent practices

broker-dealers, agents; 15 CSR 30-51.169; 10/1/03

general; 15 CSR 30-54.010; 10/1/03

government issued or guaranteed securities; 15 CSR 30-54.020;  
 10/1/03

### hearings under Securities Act

answers and supplementary pleadings; 15 CSR 30-55.030;  
 10/1/03

discovery; 15 CSR 30-55.080; 10/1/03

instituting hearing before commissioner; 15 CSR 30-55.020;  
 10/1/03

motions, suggestions, legal briefs; 15 CSR 30-55.110; 10/1/03

notice of; 15 CSR 30-55.040; 10/1/03

officers; 15 CSR 30-55.220; 10/1/03

prehearing conferences; 15 CSR 30-55.050; 10/1/03

prehearing procedures; 15 CSR 30-55.025; 10/1/03

procedure at hearing; 15 CSR 30-55.090; 10/1/03

public hearing; 15 CSR 30-55.060; 10/1/03

record of hearing; 15 CSR 30-55.070; 10/1/03

subpoenas; 15 CSR 30-55.100; 10/1/03

who may request; 15 CSR 30-55.010; 10/1/03

impoundments of proceeds; 15 CSR 30-52.100; 10/1/03

instructions, general; 15 CSR 30-59.020; 3/17/03, 7/15/03

15 CSR 30-50.020, 15 CSR 51.010; 10/1/03

### investment advisors

minimum net worth requirements; 15 CSR 30-51.070; 10/1/03

investment letter, suggested form; 15 CSR 30-54.150; 10/1/03

mortgage revenue bonds; 15 CSR 30-52.340; 10/1/03

NASAA statement of policy; 15 CSR 30-52.030; 10/1/03

exemptions; 15 CSR 30-54.070; 10/1/03

net capital deficiency; 15 CSR 30-51.060; 10/1/03

net capital requirements; 15 CSR 30-51.050; 10/1/03

networking arrangements; 15 CSR 30-51.165; 10/1/03

### notice filings

investment companies; 15 CSR 30-54.015; 3/17/03, 7/15/03,  
 10/1/03

offer of refund; 15 CSR 30-52.200; 10/1/03

suggested form of (rescission); 15 CSR 30-52.260; 10/1/03

prospectus; 15 CSR 30-52.020; 10/1/03

promotional materials; 15 CSR 30-53.010; 10/1/03

provisions, general; 15 CSR 30-52.010; 10/1/03

### records required

broker-dealers; 15 CSR 51.120; 10/1/03

investment advisors; 15 CSR 51.140; 10/1/03

### records to be preserved by

broker-dealers; 15 CSR 51.130; 10/1/03

investment advisors; 15 CSR 30-51.150; 10/1/03

issuers; 15 CSR 30-52.330; 10/1/03

### registration

denial, revocation, suspension; 15 CSR 30-51.170; 10/1/03

exemptions from; 15 CSR 30-51.180; 10/1/03

withdrawal of; 15 CSR 30-52.280; 10/1/03

### registration statement

annual report; 15 CSR 30-52.320; 10/1/03

post-effective amendments; 15 CSR 30-52.300; 10/1/03

report of completion; 15 CSR 30-52.310; 10/1/03

requirements; 15 CSR 30-51.160; 10/1/02, 1/16/03, 10/1/03;

15 CSR 30-59.170; 3/17/03, 7/15/03

### securities

bank, savings institution, trust company;

15 CSR 30-54.030; 10/1/03

commercial paper; 15 CSR 30-54.080; 10/1/03

employees' benefit plan; 15 CSR 30-54.090; 10/1/03

federal savings, loan association, state building and loan;

15 CSR 30-54.040; 10/1/03

not-for-profit; 15 CSR 30-54.070; 10/1/03

railroad, common carrier, public utility, holding company;

15 CSR 30-54.050; 10/1/03

segregation of accounts; 15 CSR 30-51.090; 10/1/03

small company offering registrations; 15 CSR 30-52.275; 10/1/03

solicitation of interest; 15 CSR 30-54.175; 11/17/03

stock exchange listed securities; 15 CSR 30-54.060; 10/1/03

**SENIOR SERVICES, DIVISION OF**

aging in place pilot program; 19 CSR 30-82.090; 12/15/03  
funding formula; 19 CSR 15-4.050; 5/1/03, 8/15/03  
state long-term care ombudsman program; 19 CSR 15-4.060;  
10/15/03

**SOIL AND WATER DISTRICTS COMMISSION**

state-funded cost-share program  
cost share rates; 10 CSR 70-5.040; 8/1/03, 11/3/03

**TATTOOING, BODY PIERCING AND BRANDING**

practitioners, temporary; 4 CSR 267-4.020; 5/15/03

**TAX, INCOME**

failure to file tax returns; 12 CSR 10-2.055; 12/15/03  
failure to pay tax; 12 CSR 10-2.060; 12/15/03  
government pension exemption; 12 CSR 10-3.235; 12/15/03  
rate of interest, annual; 12 CSR 10-41.010; 12/15/03

**TAX, MOTOR FUEL USE**

bond amounts; 12 CSR 10-7.330; 12/15/03  
inventory subject to tax; 12 CSR 10-7.220; 12/15/03  
release of bonding requirements; 12 CSR 10-7.310; 12/15/03  
reporting option; 12 CSR 10-7.290; 12/15/03  
retail dealer licensing/reporting requirements; 12 CSR 10-7.180;  
12/15/03  
waterway or pipeline terminal operators; 12 CSR 10-7.210;  
12/15/03

**TAX, SALES/USE**

caterers, mandatory gratuities; 12 CSR 10-3.046; 8/1/03, 11/17/03  
confidential tax data; 12 CSR 10-3.486; 8/1/03, 11/17/03  
farm machinery; 12 CSR 10-110.900; 5/1/03, 9/15/03  
fees paid in or to places of amusement; 12 CSR 10-3.176; 8/1/03,  
11/17/03  
food stamps, WIC vouchers; 12 CSR 10-3.120; 8/1/03, 11/17/03  
lien releases, payment of filing fees; 12 CSR 10-3.836; 8/1/03,  
11/17/03  
manufacturing equipment; 12 CSR 10-111.010; 5/1/03, 9/15/03  
sales by employers to employees; 12 CSR 10-3.036; 8/1/03,  
11/17/03  
tax liens; 12 CSR 10-3.838; 8/1/03, 11/17/03

**UNEMPLOYMENT INSURANCE**

charging benefits to employers; 8 CSR 10-3.085; 10/1/03  
direct deposit, benefits; 8 CSR 10-3.130; 5/15/03, 9/2/03  
registration, claims; 8 CSR 10-3.010; 3/17/03, 7/1/03

**VETERINARY MEDICAL BOARD, MISSOURI**

application; 4 CSR 270-1.031; 5/1/03, 8/15/03  
complaint handling; 4 CSR 270-7.010; 5/1/03, 8/15/03  
education, continuing; 4 CSR 270-4.042; 5/1/03, 8/15/03  
fees; 4 CSR 270-1.021; 5/1/03, 8/15/03  
licensure (exemption); 4 CSR 270-2.051; 5/1/03, 8/15/03  
practice techniques, standards; 4 CSR 270-4.031; 5/1/03, 8/15/03  
supervision, standards; 4 CSR 270-4.060; 5/1/03, 8/15/03

**VOTING PROCEDURES**

HAVA grievance procedure; 15 CSR 30-12.010; 11/3/03  
provisional ballots to be counted; 15 CSR 30-8.020; 11/3/03  
verification; 15 CSR 30-8.030; 11/3/03

**WATER PATROL, MISSOURI STATE**

aids to navigation, regulatory markers; 11 CSR 80-5.010; 12/15/03

**WEIGHTS AND MEASURES**

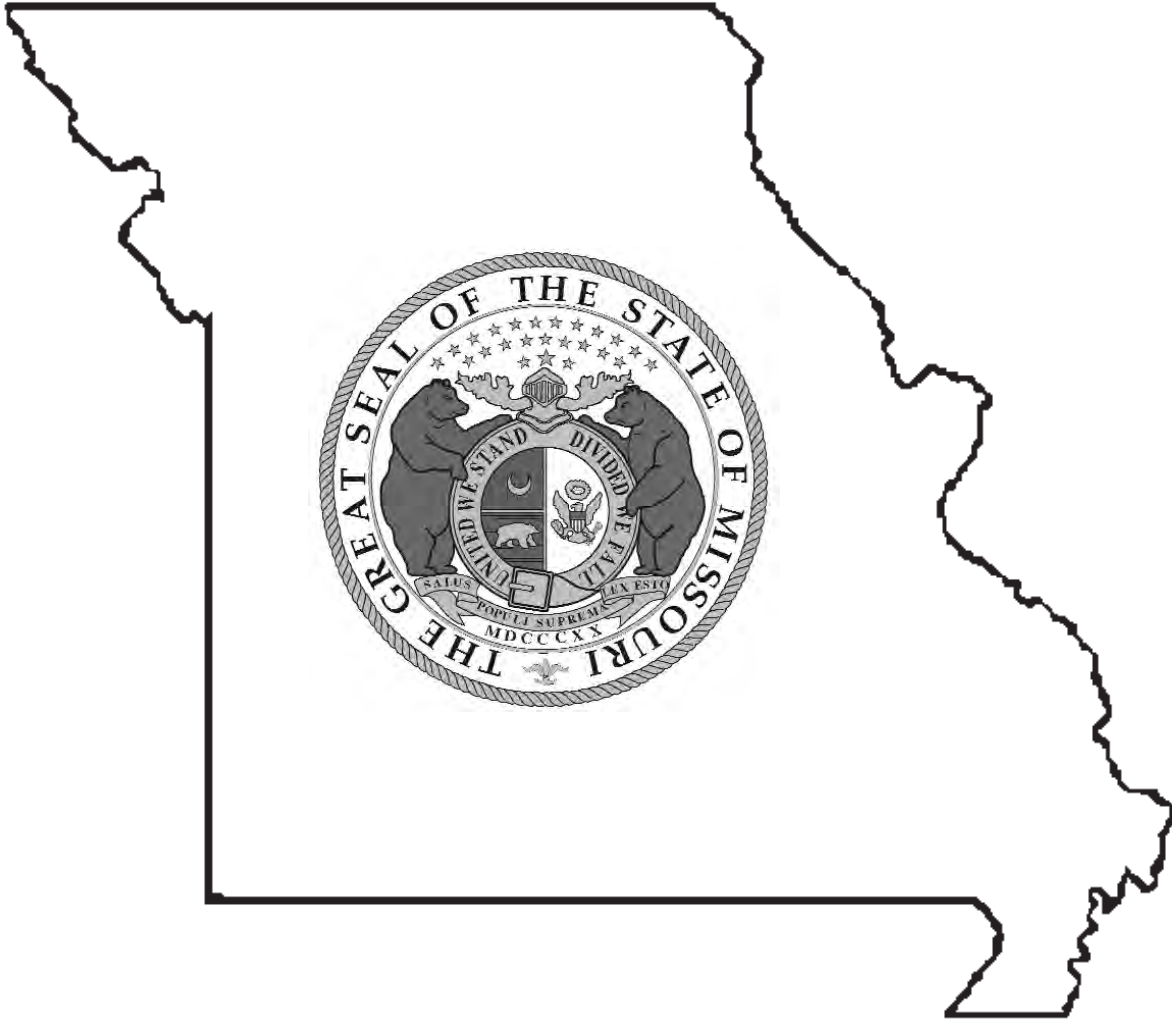
anhydrous ammonia; 2 CSR 90-11.010; 12/15/03  
inspection of premises; 2 CSR 90-30.050; 12/15/03

**WORKERS COMPENSATION**

review of awards, orders by ALJs; 8 CSR 20-3.030; 2/18/03,  
7/1/03

# RULEMAKING 1-2-3

## MISSOURI STYLE



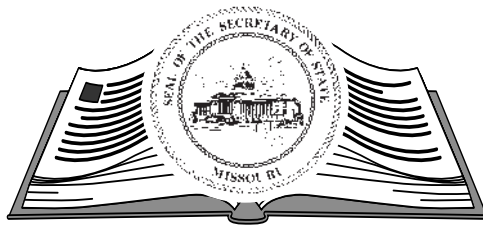
**MATT BLUNT**  
**SECRETARY OF STATE**

The Administrative Rules Division has copies of the Rulemaking Manual available for state agencies to assist in preparing all types of rulemakings.

For information about rule drafting classes call (573) 751-4015.



The *official*  
source of  
information on  
Missouri state  
regulations



Contact us at: phone: (573) 751-4015 or e-mail: [rules@sos.mo.gov](mailto:rules@sos.mo.gov)

#### ORDER FORM

- ☐ Enclosed is my check for \$56 as payment in advance for one year of the *Missouri Register*  
Please start my subscription with the \_\_\_\_\_ issue.
- ☐ Enclosed is my check for \$330 for the *Code of State Regulations*
- ☐ This is a subscription renewal

Please make checks payable to: **Secretary of State** or alternatively call us to charge your MasterCard or Visa

Mail to: MATT BLUNT  
SECRETARY OF STATE  
ADMINISTRATIVE RULES DIVISION  
PO Box 1767  
JEFFERSON CITY, MO 65102

\_\_\_\_\_  
name or firm (please type or print)

\_\_\_\_\_  
attn:

\_\_\_\_\_  
PO box number

\_\_\_\_\_  
street address

\_\_\_\_\_  
city

\_\_\_\_\_  
state

\_\_\_\_\_  
zip

*Happy New Year*  
*From The*  
*Administrative Rules*  
*Division Staff!*

**Office of the Secretary of State**

**MATT BLUNT**

1/02/04

**MATT BLUNT**

SECRETARY OF STATE

PO Box 1767

JEFFERSON CITY, MO 65102

Periodical  
Postage Paid at  
Jefferson City,  
MO